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The *AMERICAN SPECTATOR*



Whit Stillman: Under the Condor, Part Two

James Q. Wilson: The War Against the Auto

Hadley Arkes: Bakke v. The Legal Profession

Charles Horner: Japan's Troubled Commitment

Abrams/Scully: Two Views of the U.S. Senate

Plus Baron Von Kannon's Spectacular

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THE CONTINUING CRISIS

• Notwithstanding the armies of social scientists in our midst and the valorous bands of investigative reporters scouring the land, one sordid inequity remains stubbornly inaccessible to practitioners of social justice, to wit: the overwhelming influence wielded over the commonality by an establishment of essentially humorless minds. The hidden injustice of American society remains not that we are manipulated by the rich and the powerful, but that we are yoked by an elite that is without humor and, in point of fact, downright hostile to it on moral and intellectual grounds. Mastering the thesis that we live under a tyranny of the humorless antiquates Marx and places one on the threshold of the deepest kind of insight.

• Consider the events of December 1 through January 14. During these days Jimmy Carter and his colleagues proved themselves to be the legitimate heirs to the Marx Brothers; nevertheless Charlie Chaplin died. Not since Harding has a president presided over a staff so prodigiously ludicrous, yet the press reports their hijinks with strenuous decorum. After a year of incomparable absurdity the commentators stand with hats over hearts, ignore Carter's every botch, and extoll him for his remarkable capacities as a political campaigner, *viz.*: his amazing aptitude for dissimulation, exaggeration, and bogus passion.

• At the month's beginning Ham Jordan, at large in Georgetown, was caught with his hand upon the *pectoralis major* of Mrs. Amal Ghorbal, lawful wedded wife of the Ambassador from the sovereign state of Egypt; still, the misadventure was reported in tones indistinguishable from those reserved for chronicling debate on welfare reform or the opening of a new federal building. Jimmy's response was to add the absurd oaf to his travelling retinue, and off they went on his comic nine-day, seven-nation tour of the globe.

• Some highlights. Thanks to a spectacularly inept translator, Jimmy's arrival speech in Poland will be put down as the most hilarious ever delivered by an American president on foreign soil. After earnestly notifying the assembled Polish dignitaries that he had abandoned America forever, he soared into his human rights spiel, assuring them that he understood all the sexual desires of the Polish people. On he lunged, piling malapropism atop malapropism, distractedly looking up from his prepared text to discover the assembled Poles convulsed in laughter, then manfully trudging on until the thing was finished, and he was assured of being known as the most thundering hind ever to bloviate in the land of the kielbasa. At the Shah's New Year's Eve party in Teheran he took aboard two glasses of wine and turned embarrassingly weepy. In India he astonished government officials by insisting that he be photographed in an impoverished village; during a state dinner he was harassed by a common housefly necessitating the professional services of Prime Minister Desai's official fly swatting; and finally he attempted to whisper abrasive diplomatic instructions to his Secretary of State only to discover along with an astonished collection of newsmen that the mysterious object in front of him was an open microphone. During a Paris meeting with the head of the

French Socialist party he attempted to pass himself off as an American edition of Trotsky and sent the Paris stock market tumbling 2.5 percent. At any rate his meeting with Egypt's President Sadat went smoothly enough, but then he was only in Egypt for 59 minutes.

• Evidence of disco star Grace Jones' capacity to wow an audience was provided in a whopping dose at a Cleveland discotheque. While making a grand entry atop her fabulous motorcycle-borne piano, she grasped a fan's upstretched hand, let out her inimitable disco shriek, and rode on, leaving the unfortunate fan flattened with a massive coronary and almost no chance of enjoying the evening's performance. Apprehension was expressed for the continued richness of Alaska's cultural life when it was divulged that television is replacing drinking as the citizenry's chief diversion. Intimations of the catastrophe appeared earlier in the year when 23 villages got their first tubes, and now the indigenous intelligentsia are fleeing their bar stools in immense numbers. A vision of the hell Alaskan life might one day become was provided by the state's learned junior senator, Mr. Ted Stevens, who warns of TV violence and "advertising aimed at young people to stimulate them to get grown-ups to buy products."

• In Chicago, police booked Mr. Wilford Lambert, 32, for murder after his defenestration from a third-floor window of an unidentified glutton who had eaten Mr. Lambert's bologna sandwich without authorization. Good sports all over Australia rose up on December 14 to cheer Mr. Thomas Reginald Jones, the 55-year-old pensioner from Brisbane who broke all existing records by being hauled before a magistrate and convicted of drunkenness for the 1,460th time. For five years Mrs. Rita Brassard has carried the ashes of her husband on all her travels, but on December 19 calamity struck at San Francisco International Airport when she paused at a snack counter to rearrange his ashes. No sooner had she opened his urn than Mr. Elvin Small, an absent-minded attendant, turned on a nearby window fan, blasting Mr. Brassard all over the terminal, soiling Mrs. Brassard's brand-new Roberta di Camerino dress, and inducing in her an embarrassing sneezing spell.

• The tide of intolerance that allowed the Massachusetts Senate on December 2 to sustain that state's 280-year-old statute against blasphemy is cresting across the Republic. In Minneapolis, a young man carrying a copy of *How To Succeed With Women With Witchcraft* by Warlock and wearing a black shirt, black pants, black knee-high boots, and a black cap was arrested as he wriggled to free himself from the hole he had kicked in the apartment door of a would-be female convert. In New York, four pious teenage devotees of witchcraft were clamped in the calaboose for practicing their faith with bones allegedly pilfered from the local golgotha. And in Boston, some of the most distinguished child molesters in the nation, men of fine breeding and notable accomplishments, are being shamelessly harassed by the local *carabinieri*. A renowned child psychiatrist, the former assistant headmaster at an exclusive boys' academy, a teacher at the school, a consultant in psychology at the Lindamen Center for Mental Health, and eight

others have been arrested for rape, sodomy, indecent assault, and other so-called "unnatural" acts against children. Fortunately, such political repressions are not going unnoticed, for from the Netherlands Mr. Coos Huijsen of the Federation for Free Human Partnership has issued an elegant admonition condemning this climate of "rampant discrimination," especially as it affects homosexuals. Nevertheless, *Good Housekeeping* reported that its readers had made Anita Bryant, the seething anti-pederast, the winner of its 9th annual Most Admired Woman Poll.

• Light was shed on the sources of conflict in Cuban-U.S. relations when it was discovered that in 1940 FDR refused 12-year-old Fidel Castro's polite request for a \$10 bill. The young Cuban, who would one day become George McGovern's favorite dictator, made the request in a letter recently discovered in the National Archives. Incredibly enough FDR never even responded to the letter and may, in fact, have laughed at it, for the four-term president was known to laugh a lot, particularly late at night when all the lights were out in the White House and all that could be heard was the wind whistling through his wife Eleanor's ears. At any rate, Mr. Castro has never mentioned the rebuff, though it is apparent that he would still like that \$10 bill.

• Still more proof of how close America came to slipping under the totalitarian veil during the ghastly Nixon years was provided on December 10 when 61 red-blooded Americans, just released from Mexican prisons, revealed that their convictions on charges of drug smuggling were another element in the fiend Nixon's heinous plan to undo our liberal democratic edifice. And just how superior Soviet socialism is to American capitalism was clear for all to see when short-sighted bank robbers in the capital of Soviet Armenia absconded with over \$10 million in rubles. Such is the subtle genius of the Soviet system that this, the largest bank robbery in Soviet history, improved the robbers' position hardly at all, there being absolutely no place in the Soviet economy to spend their loot.

• The generally progressive drift of the countries of the Third World suffered a dismaying setback in December when Jean-Bedel Bokassa tilted his country toward neo-conservatism by having himself crowned His Imperial Majesty Bokassa I at an admittedly radiant \$22 million ceremony in historic Bangui, now the Rome of the Central African Empire. In the Philippines, a gunman holding 14 hostages suffered the painful humiliation of being hoodwinked by his captives and shot to death. Miss Patty Hearst's purse containing \$400 and house keys was stolen from the van of a San Francisco policeman assigned to protect her. And from Bangladesh comes word that one of the country's priceless treasures sustained permanent damage during that country's 1970 war with Pakistan. According to reports received in western capitals on December 31, Mr. Arshad Ali Biswas, the 85-year-old possessor of Bangladesh's longest beard, was accosted by Pakistani soldiers who sheared off four inches of his beard when they decided that the 50-inch growth violated Islamic law. —RET

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Reflections on a Merry State

R. Emmett Tyrrell, Jr.

A few ribald quips having been excised, the following diatribe was loosed at New York's St. Regis Hotel on the occasion of a dinner celebrating the tenth anniversary of The American Spectator. A full report can be found on page 41.

In the early afternoon of September 2nd, 1939, as millions of lives were being thrown into tragic and unexpected potholes, as careers and relationships were being dizzied in a whirlwind from which they would never recover, one man's life was taking on a dazzling new purpose. This curious figure was taking up a role few dreamers would have, theretofore, guessed possible for him. After nearly a decade of derision and isolation, Winston S. Churchill had suddenly been resurrected by history and made First Lord of the Admiralty. On that busy afternoon Churchill sent word to the Admiralty. He would be arriving later that day to take possession of his office, and to fill the First Lord's chamber with clouds of Jamaican cigar smoke and reverberations of his Edwardian oratory. Around the world the Board of the Admiralty signalled the British Fleet: "Winston is back!"

That evening Churchill, in top hat and greatcoat and with his secretary, Mrs. Kathleen Hill, at his side, roared up to Admiralty House, a building that he had not entered for more than 24 years, having been banished from it at the height of the Dardanelles crisis of May 1915. Proceeding to the First Lord's Room, he flung open the door, and as Mrs. Hill watched in amazement he strode to a cupboard behind the First Lord's desk. With what Mrs. Hill called a dramatic gesture he threw it open. There behind the paneling was a large map showing the disposition of all German ships just as they had been on the day Churchill had left the Admiralty in 1915—the map had remained miraculously untouched for over 24 years. It was a wondrous moment in a wondrous life, a life that must have been fashioned by a very superior storyteller. There are lives like that, lives marked with drama, stupendous luck, and uncanny neatness.

Some lives are kissed by friendly gods, some are kissed twice and allowed to live in special times. There are epochs too perfect to be the work of human schemes or human botches. There are moments in history in which everything suddenly appears preternaturally in place, and in which the protagonists recite their lines and play their fabulous roles according to benign impulses beyond their control. At such times it is as though events have been choreographed eons ago for the amuse-

ment of some other-worldly host and for those few blessed mortals who have the brains and the spirit to enjoy the show. During such times those who participate and do a competent job really do not deserve applause. Their acts are fore-ordained. All they have to do is follow the flow and at the end of a day's good works they can wink at the havoc around them and glow with the merry muse who put them up to it. It seems to me this has been the fortunate history of *The American Spectator*, and for us to gather here tonight in search of applause would be a trashy thing [APPLAUSE, APPLAUSE, *fulsome and spontaneous*]. What we are here for is the opportunity to put on a communal glow with so many of the mortals who have put us up to our mischief.

When the Baron, Ron Burr, and I tripped into our first editorial offices, so many decades after Henry Mencken's withdrawal from magazine journalism, we found the battle map was on the wall and it was not much different from the map that Mencken had left. All the louts were in their places. Our course was as clear and well lit as Norman Mailer must have been the night he essayed to disfigure Gore Vidal's dainty muzzle. We at *The American Spectator* had no control over our subsequent decade of public service. The whole thing was laid out for us on heavenly drawing boards; ours was not to quibble or to fuss, but to get on with the chore of pinning the tail on the various donkeys as they grazed so complacently and gluttonously across the land, and to take advantage of every loophole in the American system of libel laws.

As I say, the map already hung on the wall. The same kinds of idiots were holding forth as had held forth in the twenties. Howls of vaticination and bogus salvation continued to sound in the hinterland, and now they were heard in cities too. The same kinds of messiahs were striking grave poses in Washington, and their sonorous tosh was not new. Fanaticism was back in season. In the late 60s charlatanism was being practiced on the most awesome and enormous scale ever envisioned—but this was merely because the charlatans had taken note of the marvels of modern marketing. Anyway, it was clear for all to see that the likes of Jerry Rubin and William Sloane Coffin were at one with every snake-oil salesman who ever dusted his feet in the ghostly regions of east Tennessee. Today charlatans are better educated, as are their clients. They are more populous, and because of our proud, pluralistic society, they have more angles to play. But those who sniffed a fish when

they encountered the 1920s superpatriot would have easily identified John Gardner for the slippery fellow he was. The only real difference with the battle map of today is that the charlatans, the fanatics, and the idiots are no longer purely amongst the provincials. They thrive with the cosmopolitans. They are more often than not on the left, and there they are more stupendously obnoxious, absurd, and dangerous than any rube ever seen.

There stood McGovern, the Bryan of his time. An issuer of volupt and glorious moonshine, he even had the same enormous dome, of a kind by all rights hairless and by all means brainless. As with Bryan he issued nonsense of course, and, also like Bryan, he actually believed his nonsense, which made him all the more entertaining and occasionally even touching. He made the choice of right policy easy. My maxim has been: "Do precisely the opposite of whatever McGovern thumps for, and you always know you will do your country no harm and might even do it some good." McGovern's unswerving devotion to wrong policy has been a public service. He has unwittingly educated me to all the proper limits of government, the fragile condition of dignity, freedom, and prosperity, the importance of defense, the value of a productive, relatively unfettered economy, and the imperative of never, never telling a heckler to kiss one's *gluteus maximus*. Frankly, when poor George made that shocking suggestion during the 1972 campaign, I was under the impression that it was simply campaign oratory for the new politics—the new politics equivalent of kissing babies. Had he made that statement to someone at the bizarre Democratic convention that nominated him, he might have found himself locked in a passionate and unusual embrace.

But the buffoonish McGovern has of course not been the only jackass in place on the map. There was the childlike *farceur* Paul Goodman, the Stuart P. Sherman of his time. God how I wish he had lived to see the beautiful accomplishments of his youthful disciples, the darlings of the 1960s, the autistic tramps of the seventies—Squeaky Fromme, Patty Hearst, and so forth and so forth. Then there has been Madalyn Murray O'Hair, the flipside of Amy Semple McPherson, but the same violent and prehensile record. And Gore Vidal. How he does remind me of the author of *Bambi*, and so he will be known to history.

Oh hell, why go on naming names. When all the names have been trotted out

(continued on page 38)



Hadley Arkes

Bakke: *The Legal Profession in Crisis*

Affirmative action strikes at the very principles that underlie our laws on civil rights. But our most respected jurists are simply unable to clarify questions of principle, and in that sense Bakke marks a serious crisis for the legal profession itself.

It was only fitting that the task should fall to Mr. Archibald Cox to explain to the Supreme Court why it was quite tenable, under the Constitution, to turn Allan Bakke away from medical school on account of his race. Twelve years earlier Mr. Cox, as Solicitor General of the United States, had to explain how the Constitution could forbid discrimination on the basis of race in public inns and restaurants. The case he argued to the Supreme Court at the time was burdened by all the tortured formulas and accumulated clichés that modern jurisprudence has devised for the sake of dealing with matters of moral consequence while pretending that the law has nothing to do with questions of morals at all. Modern lawyers, especially lawyers from the most established schools, are the children of Holmes rather than Blackstone, and it is in the tradition of Holmes that Mr. Cox has been fashioning his arguments over the years. The opinions he has offered have been written, as Holmes once said, as "if every word of moral significance could be banished from the law altogether, and other words adopted which should convey legal ideas uncolored by anything outside the law."

When it came to the matter of discrimination in public establishments, the Solicitor General and the Court found it convenient to argue in this way: If blacks faced the prospect of discrimination in public inns and restaurants, they might be discouraged from travelling among the states. If blacks were discouraged in this way, the effect would be to reduce the total volume of trade that was available to restaurants and inns and other places of public accommodation. In turn, that shortfall of trade would reduce the amount of orders that these businesses would place with other businesses (e.g., for meat, linens, furniture), and the effect would be to depress even further the level of trade and, presumably, the standard of living. In the eyes of the law, then, the problem of discrimination in places of public accommodation did not lie in any injustice that was done to black people, but in the interference it might produce in the interstate flow of meat!

The consummation of this logic probably came several years later in Justice Douglas' notable dissent in the Moose Lodge case. When the question was raised as to why it was wrong for the Moose Lodge, as a private association, to discriminate on the basis of race, Douglas' response ran along these lines: The Moose Lodge received a license from the state to serve liquor on its premises; only a restricted number of these licenses was made available by the state; and if some of the establishments which enjoyed these licenses also discriminated on the basis of race, the breach of the Constitution would become manifest: Blacks would not receive their fair share of drinks per capita in the state.

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It has been reported recently that some of the legalized brothels in Las Vegas refuse to admit blacks as customers. In light of this news it can only be regarded as a mercy to us all that a case on this subject did not arise while Justice Douglas was still on the Court, for we would have had then the construction of a constitutional claim of unmeasured novelty. As foolish as all of this may sound, it nevertheless represents the kind of reasoning that legal scholars were destined to produce once they had absorbed the notion that the language of morals had to be placed "outside the law" altogether. The ends of justice were not to be reached through principles of justice, but through a process of reduction in which questions of justice were translated into material injuries or attached to the formulas of the Commerce Clause—as though the Constitution itself foreclosed reasoning that was distinctly moral.

It should have occasioned no surprise, therefore, when the argument Mr. Cox offered against Allan Bakke was similarly emancipated from the properties of a principled argument. According to Mr. Cox, the question raised by the Bakke case was whether members of minorities are to have "meaningful access" to higher education or whether they are "to be reduced to the trivial numbers which they [held] prior to the adoption of minority admissions programs." The danger, he thought, was that no system of selection that was racially neutral would figure to enroll more than a "trickle" of minority students. The ends of the law were to be reduced, in other words, to the measure of material outcomes, quite apart from the grounds of principle on which schools managed to produce those material results.

Not even Mr. Cox would pretend that there was any ground of principle that mandated one set of numbers rather than another or which marked off the enrollments that satisfied the standards of justice. For that reason he could provide no answer to the problem posed by Mr. Justice Rehnquist: What if the medical school in Davis, California, decided to set aside seats each year for 50 members of minorities rather than 16—and indeed, as our imagination extends the question, what if the medical school had decided to draw its class exclusively from members of minority groups until each minority accounted for its proper share of the medical profession in the state? The most Mr. Cox could offer was that, "as a constitutional lawyer, the further [the medical school moved in that direction] the more doubts I would have"; but he failed to disclose, of course, the grounds on which it would have been proper to raise doubts at all.

It used to be understood, however, by people schooled in philosophy, that no set of material results can lend itself to moral judgments in the absence of *principles* of judgment. No shortfall of enrollments in a medical school can constitute an injury in itself in the absence of a principle that explains what is justified or

unjustified about the procedures that produced these results. As I will try to show in a moment, the case against racial discrimination becomes wholly unworkable and even ludicrous when the definition of the "wrong" is reduced to the estimate of material injuries. What must be counted as far more decisive in these cases are the principles that are implicit in discrimination, quite apart from the material results they happen to generate.

But lawyers and judges have not shown any notable aptitude for clarifying these questions of principle, and in that sense the Bakke case has marked a serious crisis for the legal profession itself. It is not merely the fact that lawyers and judges have failed to settle the grounds of principle that underlie these cases on discrimination and affirmative action. The far deeper problem lies in the incomprehension that has been shown by the most celebrated minds in the profession over the meaning of "principle" itself. If our most respected judges had managed to get clear on the strict meaning of a "principle," and if they had succeeded in establishing the grounds of principle for their decisions on segregation, we would not have to stagger from case to case today in a chain of litigation that never ends. At the same time it would have become evident that schemes for affirmative action and reverse discrimination cannot be indulged in *any degree* without striking at the premises on which our laws on civil rights find their firmest foundations.

When we take it upon ourselves to legislate for other people—when we presume to override their personal choices and make rules that are binding on them—we imply the existence of "morals" or moral principles in the strictest sense. That is to say, we imply that there are grounds on which we can speak about the things that are more generally or universally "good"—i.e., good for others as well as ourselves. As the classics understood, law must proceed from an understanding, in this sense, of the things that are in principle good or just; and so it becomes important to distinguish between real "principles" of morals and propositions that are merely empirical and contingent.

Moral principles involve propositions that are true as a matter of necessity, now and for all time. What I would argue here is that our laws against discrimination on the basis of race can in fact be grounded in propositions of this kind. These principles cannot be dependent merely on experience, because "experience" lies in the future, as well as in the past, and no proposition can claim the rank of a necessary truth if its validity may be affected in any serious way by events that crop up in the future. It may be true, for example, that "If Saks Fifth Avenue moves into the neighborhood, the whole neighborhood will prosper"—but it may not be. Clearly, it cannot be true as a matter of necessity. Whether it will be true or not will be contingent on a number of other events.

The problem, however, over the past 40 years, is that the argument against racial discrimination, in one case after another, has been cast in the form of just such contingent propositions about material outcomes—propositions on the order of: "If Saks Fifth Avenue moves into the neighborhood, the whole neighborhood will prosper." As we have seen them at work in the cases on civil rights, these contingent propositions have become familiar to us in arguments of this kind:

—If black children go to schools that are at least 75 percent white, they are likely to read better in the aggregate—and possibly end up getting better jobs.

—If blacks do not gain admission to the only law school run by the state, they will not make the social connections that are necessary for a successful career.

—If white students do not have the experience of attending schools with blacks, they will be more inclined to preserve the separation of the races that has prevailed in the past.

Now of course it simply cannot follow as a matter of necessity that a black child who attends a predominantly white school will become a better reader or get a better job. Neither does it follow that a black person who is admitted to an integrated law school will form important social connections with his classmates and then go on to prosper. It is evident that these claims need not be true, and they have been open to the persistent embarrassment of empirical

studies that show, in particular cases, that they are wrong. The empirical evidence has hardly been necessary to establish the problematic nature of these propositions; but it should have been sufficient to remind legal scholars that, when they cast their arguments in this form, they are doing nothing more than advancing empirical predictions and contingent "truths." So it is sobering to encounter a book quite as celebrated as Professor Ronald Dworkin's recent work, *Taking Rights Seriously*, and to discover that, as Dworkin sets forth the considerations that might argue for "reverse discrimination," he provides a virtual inventory of contingent propositions:

If there are more black lawyers, they will help to provide better legal services to the black community, and so reduce social tensions.

It might well improve the quality of legal education for all students, moreover, to have a greater number of blacks as classroom discussants of social problems.

Further, if blacks are seen as successful law students, then other blacks who do meet the usual intellectual standards might be encouraged to apply, and that, in turn, would raise the intellectual quality of the bar.

In any case, preferential admissions of blacks should decrease the difference in wealth and power that now exists between different racial groups, and so make the community more equal overall. [*Taking Rights Seriously*, p. 228]

Outside the offices of stockbrokers and bookmakers one is not apt to find such an example of a professional who rests important judgments of policy on a catalogue of empirical predictions of such dubious merit. Professor Dworkin is candid enough to acknowledge that a program of "preferential admissions" might not really achieve the ends laid out in this list, but he insists also that "it cannot be said to be implausible that it will." What is surprising here, of course, is not Dworkin's immense credulity in the face of the problematic. What is profoundly unsettling is that one of the most anointed figures in jurisprudence today has absolutely no awareness of the difference between a proposition that makes a prediction and a proposition that states a principle. It is clear that the difference fails to matter for Dworkin, and for that reason he finds nothing disturbing in the prospect of contravening the freedom of individuals (e.g., by assigning them to schools on the basis of racial quotas) or apportioning benefits and disabilities, not on the basis of moral truths that must be necessary, but on the basis merely of propositions, as he says, that are not "implausible."

We take the measure of any profession by gauging the thought of those minds which it regards as its best, and Dworkin represents, quite as dramatically as any other writer, the distance that now separates jurisprudence from the tradition of moral and political philosophy that formed its foundation. When lawyers and judges ceased being concerned foremost about the understanding of principles, they began to identify the presence of an "injustice" with the suffering of a material "injury" (or the deprivation of a material good). When the question has been raised then as to where the "injustice" (or the "injury") lies in the cases of discrimination in inns and restaurants, the children of modern jurisprudence have been rather uniform in their answers: The dominant response has been that blacks are injured in these cases because they are denied access to food and lodgings that are available to whites.

Yet if these matters were to be judged rigorously by the test of material injuries, it would be impossible to establish that a material injury has occurred in most of these cases. The fact that a black is turned away from one restaurant cannot establish with any strictness that he would be turned away at another restaurant of comparable quality across the street. In the noted case of Ollie's Barbecue in Birmingham, in which the issue was argued out before the Supreme Court, the restaurant happened to offer service to blacks at a takeout counter. These kinds of considerations, which seem so petty on their face, become pertinent and even decisive when the measurement of the "wrong" is reduced to the estimate of material injuries. In any strict reckoning it would simply not be plausible to argue in most of these cases that blacks are denied food when they are turned away from a restaurant: People are turned away from restaurants quite often because they

are not wearing neckties, and yet no one thinks of suggesting that they have been denied food (and that they have suffered an "injury"). We accept the exclusion of people in one case but not the other, and our reasons have nothing to do with food. The question would turn, rather, on the ground of principle on which the exclusion is made to rest in either case. The insistence on a necktie bears no invidious intent; it would seem to reflect an interest on the part of the owners in preserving a certain style or decorum in their establishment, and that interest could be shown to be quite legitimate.

The question is why discrimination on the basis of race cannot be considered legitimate in the same way. There has been a rough sense over the years that the exclusion of certain groups implies a judgment about their inferiority or their moral undesirability, and this persuasion runs back to the first Justice Harlan in the famous *Plessy* case in 1896. Harlan argued there that the Constitution was "color-blind": Discriminations founded on race were inconsistent, not only with that equality of rights that applies to citizens, but with that natural liberty that is preserved for all persons, including those who are not citizens. As Harlan put it, there is, in this country, "no superior, dominant ruling class of citizens" marked by race; "there is no caste here."

And yet Harlan could also declare in the same opinion that "there is a race so different from our own that we do not permit those belonging to it to become citizens of the United States." The "race" he had in mind was the Chinese, and he made it clear that, in his own understanding, the Chinese were barred from a position of equality in this country as a result of their "racial" or cultural differences. For all of his assertions about race and equality, it was evident that Harlan was as far as anyone from explaining the ground of principle involved in this problem: He was never able to offer an account of the precise grounds on which it would be wrong of necessity to assume that a group defined by race may be morally inferior. Nor has that omission been supplied in any of the decisions on segregation and discrimination that have been rendered since that time.



That question can finally be answered, I think, only if one takes the issue, as Kant suggested, to the root: to the logic that is inherent in the concepts of morals and law themselves. It might be said as a fundamental point of recognition that the only groups which the law may properly pick out for disadvantages or punishments are groups defined by specific criminal acts (e.g., rapists, robbers, arsonists) or classes defined by common disabilities (e.g., mental incompetents). But as a general matter, aggregates such as racial or ethnic groups may not be singled out for special punishments or restrictions, and the reason, very simply, is that we cannot attribute to these groups, as corporate groups, a tendency toward criminality or immorality, as though the group exerted some unfailing *deterministic* control over the moral practice of each member. This recognition must be implicit in the very notion of law or jurisprudence itself. "Determined" behavior is that which we associate, for example, with falling bodies, and behavior of that kind cannot be the object of legal and moral responsibility. Legal responsibility assumes a certain free will or moral autonomy on the part of individuals in forming their own acts and making decisions on matters of right and wrong. Indeed, that moral autonomy is the very mark of their

distinctiveness as human beings and the precondition of their citizenship.

When people discriminate on the basis of race, then, in a matter like housing, they would suggest that if we simply knew the race of the applicant we would know something also about the moral quality of his behavior and his prospects for being a good neighbor. They may be inclined to argue that since the level of violent crime is higher in black areas, the risk of crime will rise as the proportion of blacks within the neighborhood rises. What we are compelled to say in response is that it would be unwarranted to make a transition of that kind between the aggregate characteristics of a racial group and the moral character of any particular member. What we think we know about the incidence of crime in black neighborhoods could not possibly determine that the black family that moves in next door will be composed of criminals. For that reason it would be the essence of injustice to use the characteristics of the aggregate as the basis for what we do in relation to any black family in particular.

But the nature of the offense, we ought to be clear, does not inhere in the fact that people may be denied a house. The wrong of the case inheres in the principle that animates the act: The willingness to discriminate on the basis of race denies, in relation to blacks, that moral autonomy which provides the very premise of all morals and law. If this act is not wrong, *nothing can be wrong*, because there can be no concepts of "right" and "wrong" to which individuals can be held responsible. The wrongness of the act, then, has nothing to do with the consequences: It would still be wrong even if the black family turned out to be happy with the result—if, for example, in being rejected for one house, they happened to find another they liked even more. The judgment of the act is detached from any subjective feeling about its consequences or its material effects. And the law which condemns this act would achieve the firmest grounding that Kant understood a law could have: It would be derived from

premises that are logically necessary to the notion of law itself.

But now, with reverse discrimination and affirmative action, we have been asked to accept the very arguments that we were compelled to reject in the past in making the case against segregation. Once again we are asked to assume that, if we merely know the race (or sex) of a student, we can infer something morally interesting about that student. But this time we are asked to assume that race (or sex) is the determinant of *good* character or *benign* effects: We are asked to assume, for example, that a black student will be able to articulate to other students what it means to be poor and black; that an encounter of minds will take place in the classrooms or the dormitories; and that students will generally be improved by the experience.

It does not take much experience, however, to realize that perspectives can be articulated only by individuals, and that none of the benign effects that are stipulated here can possibly be inferred from the race (or sex) of the students. Nor can one assume, on the basis of race or sex alone, that one is dealing with a person who has partaken of the injuries that were suffered by blacks and women in the past. Some black applicants come from families that are better off than the families of many white applicants, and if a school, say, like Amherst College would give a certain preference, categorically, to female applicants, some of those women would bear names such as Chapin, Cabot, and Lodge: They would not be

attached to any persons who have suffered in the past as a result of being excluded from the college when it was confined to males. One needs to remind oneself here of an elementary point in jurisprudence: that the law gives remedies or reparations only to people who have themselves suffered injuries, and it imposes liabilities only on people who are themselves responsible for the injuries.

When we consider the current practices of Offices of Admissions in this country, we find that many of them have backed into the same theories of racial determinism that underlay the perspectives of racialists in the past. Like the racialists of old they now assume that race essentially determines in significant ways the moral character of individuals. And like the racialists they reach their decisions by combining a rough utilitarianism with a disposition to make inferences from aggregate data. The typical Office of Admissions assumes, as I have suggested, that if one knows that a young person is black—or if one knows, for example, that he comes from Harlem—then it is likely that he will be able to articulate a certain perspective on life in a poor neighborhood. Beyond that, there is a disposition to believe that he will be able to impart a sense of justice to other students. The Office of Admissions would probably concede that things will not always work out this way, but it would argue that there is a decent chance that they will, and the prospect of the good that is done overall may outweigh, on balance, the wrong that is inherent in turning people away on the basis of race.

The racist would argue in precisely the same way: He too would make inferences from aggregate data, but he would point to other data and draw other inferences. The argument he would offer would probably run along these lines:

The aggregate data show that the crime rate is generally higher in black neighborhoods. Therefore, the larger the number of blacks in the area, the higher the crime rate will be. Of course, that doesn't mean that any particular black person will be a criminal. But the statistics are sufficiently plausible in the aggregate that we may be justified in turning certain students away on the basis of race now for the sake of achieving a larger good in the aggregate. We may decently indulge this preference here, much in the way that the Admissions Office is willing to do injustice to individuals in separate cases for the sake of attaining what it regards as a larger, cumulative good. For if it is plausible to believe (as the Office of Admissions does) that a student will be able to convey to other students the sense of his culture in the ghetto, it is quite as plausible to argue that he will also carry with him many of the looser conventions about theft and crime that prevail in the ghetto.

There is, then, no longer any difference in principle that separates the argument of the racist from the argument of the Admissions Office. The two differ only on the question of who has made the most tenable inference from the aggregate data. And by that test the racialists are apt to be right quite as often as the Offices of Admissions. The lesson that seems almost impossible to convey these days is that this whole mode of argument is in point of principle inadmissible. Whether it is employed by the racist or by the Admissions Office, it carries the assumption that race does indeed govern the character of individuals, and that people cannot detach themselves from the ethic of their racial groups to reach judgments of their own about matters of right and wrong. But that assumption cannot be indulged, the policy of reverse discrimination cannot be accepted in any degree, without denying the very idea of law and morals.

The question may be raised, however, at the last: If we insist on holding to the matter of principle here, is there not a risk that there will be a shortfall in the enrollment of minorities in certain schools? That question is compli-

cated, and the answer, as an empirical prediction, is by no means clear. But the understanding that must be faced once again is that the question of material outcomes can never override a question of principle. It is interesting in this respect that no one raises the question: How has the abolition of slavery in this country *worked*? The question is not asked, I think, because we seem to understand that the rightness or wrongness of slavery was established on grounds of principle that were quite independent of the question of whether the former slaves were happy or not as slaves, or whether they would have been more secure and prosperous if their slavery were ended.

The point may come closer to us, though, in another way. Let us assume that we have a government that was committed to the ends of redistribution, and that it hit upon the device of expropriating the businesses of all Chinese or Jews (for no other reason than the fact that the owners were Chinese or Jewish). Let us assume further that the property was distributed to a class of people who had never before had substantial holdings of their own. When an attempt is made to undo the injustice that was done, it is resisted by the party of "social change," which insists that there is a need to "compensate" the poor for some of the inequalities that were accumulated in the past. As the aphorism may go, "If we undo what was done, we would stop the material

gains made by people who had never possessed businesses of their own." At that moment, I think, we would come to recognize again that justice cannot be defined merely by the distribution of material benefits—that the essential justice of any distribution cannot be divorced from the grounds of principle on which the benefits are acquired.

It is the peculiar disability of moral arguments that they will quickly be opposed as too "abstract" and unrealistic by the people who find their results uncongenial. Yet in a number of ways it is evident that in their daily lives people are highly attentive to the question of whether they would gain their immediate ends on the basis of procedures that may undercut a deeper principle. It is apparent, for example, that members of Afro-American groups are constrained from appealing to white groups and institutions for the sake of gaining support for their positions within their own organizations. There is a restraint here which comes from the recognition that certain "victories" are not victories at all if they establish precedents that are inconsistent with the terms on which people prefer to live. (In this particular case, the preference is for black groups with a wide degree of autonomy, which can resist interference from whites.)

The understanding is not too abstract, then, or arcane, and it may apply quite as well to the issue of Bakke and affirmative action. The question is just why the NAACP and its allies are inclined to spend so much of their treasure and their prestige in efforts to defend schemes for racial quotas and reverse discrimination. A "victory" for them in these cases would surely ruin them in the most fundamental sense, even if it would appear to satisfy for a moment the material interests of some of their members. We are forced to remind ourselves in the end that any people who would preserve their freedom cannot be blind to the possibility that they may gain their material ends in certain cases only by affirming principles inconsistent with the premises on which all of their rights depend. One lawyer for the NAACP was recently quoted as saying that it would take "a decade of opinion writing" before all the questions of equity involved in these cases could be sorted out. If that is indeed the current level of understanding, one would have to say finally, with Henry James, that such people are the victims of perplexities from which a single spark of direct perception might have saved them. □



Charles Horner

Japan, the West, and the World Order

Japan has no real historical, cultural, or psychological stake in "our" system of collective security and economic cooperation. Its stake is material and, ultimately, practical. As much, then, as we discuss America's commitment to Japan, we must also come to terms with the unique nature of Japan's commitment to the West.

The contemporary Japanese writer Oe Kenzaburo remembers the 1945 broadcast during which the Showa Emperor, known to us as Hirohito, announced the nation's surrender:

The adults sat around their radios and cried. The children gathered outside in the dusty road and whispered their bewilderment. We were most surprised and disappointed by the fact that the Emperor had spoken in a *human* voice.... We looked at one another in silence.... How could we believe that an august presence of such awful power had become an ordinary human being on a designated summer day?

Indeed, since 1868 when the feudal order had been overthrown in the name of Hirohito's grandfather, it had seemed that the gods favored Japan's undertakings. Forcibly opened to the "world" in 1853 by Commodore Matthew Perry, the Japanese had learned much from their western imperial tutors. They created an impressive empire: Okinawa, 1874; Taiwan, 1895; Korea, 1910; Manchuria, 1931; large parts of China and Southeast Asia, 1937-1945. In the Japanese view, their successes abroad were a vindication of arrangements at home. Therefore, the ultimate failure of 1945—the loss of the empire, the virtual destruction of the homeland, the historically unprecedented foreign occupation—would have compelled a profound recasting of the domestic political system even if the victors had not insisted on it. When, after eight years of American occupation, Japan reacquired its sovereignty, those responsible for foreign affairs could rightfully draw two conclusions: the right to govern is closely connected to the management of foreign affairs, and the management of foreign affairs must be cautious, conservative, and prudent.

Previously, the Japanese had been more than bold, and Japanese expansionism had acquired a new and explicit self-definition by the time of the "Great Pacific War." The Japanese proclaimed as their purpose the creation of a "new order" in Asia. The notion was assuredly vague, though it originated in a clear rejection of two well-known "old" orders—a "traditional" Confucian one, and a "modern" western one. In the traditional, Confucian, hierarchical view of international relations—a scheme which Japan accepted and which China upheld prior to the western intrusions of the mid-19th century—China was the "Middle Kingdom" to which all other civilized nations were subordinated. China taught that its supremacy rested on its cultural superiority; western notions of sovereign equality were absent; relations with China were those between superior and inferior, described and conducted in accordance with Chinese norms and nomenclature.

As Chinese power decayed, the West built its own Asian imperial order on the ruins of the Confucian system. Like the Middle Kingdom, the West taught that its supremacy rested on the superiority of *its* culture; at the least, western military technology

prevailed decisively in the test of arms throughout the nineteenth century. It seemed that Western Europe (and its North American offshoot) had replaced China as the center of the world. Japan, to insure its own status in the world, came to oppose *both* these systems of international relations. To expel western power from Asia, to supplant China as the leading nation of Asia—this was the crude expression of Japanese foreign policy, a policy obviously opportunistic and self-serving. Japan sought "resources" and "markets" and "security" and "honor" comparable to those of the other powers. And Japan wrested these by force, first from China, then from the western imperium in Asia.

Such long-term national enterprises, however, are never sustained without some sense of mission or high purpose, a sense that is genuine, never wholly cynical. The Japanese believed that they could lead Asia out of backwardness and humiliation. They thus supported the efforts of Sun Yat-sen to establish a republic in China. (Chiang Kai-shek, Sun's disciple, was a graduate of a Japanese military academy, when Japan was the base for Chinese revolutionaries.) Indeed, since the early 1900s the Japanese had backed nascent nationalist movements throughout western-occupied Asia, and Tokyo became a center of pan-Asian, nationalist sedition. Asians and Europeans alike had been shocked by Japan's victory over Russia in 1905, by the stunning demonstration that the Caucasians—the "barbarians"—were not all-powerful. Japan became an inspiration, and many Japanese activists went out into Asia to restore the continent to its original owners. They emulated their *samurai* fathers who had, in the overthrow of the feudal regime in 1868, "restored" the "rightful order" *inside* Japan itself. They saw an essential harmony and a necessary continuity between a properly ordered Japan and a properly ordered world.

Now these men might not have thought of themselves as revolutionaries, for in the Japanese view their actions were traditional and customary; they were doing their duty. But their actions had revolutionary consequences nonetheless. By 1945, the Japanese had wrecked the western imperial system in Asia. Signs of the Japanese origin of that system's demise can still be seen today. Park Chung-hee of Korea, Suharto of Indonesia, and Ne Win of Burma are all the products of Japanese military training, the latter two of Japanese-sponsored "independent" regimes. (Sixty miles from Manila there is a memorial to Japanese *kamikaze* pilots. It is said that the monument serves as a "lasting tribute to those who know how to die cheerfully, transforming their self-immolation into an extraordinary form of art." A Filipino official explains that, "as Orientals, there is one memory that will linger in our minds for many years to come: the incomparable display of loyalty to an Oriental philosophy as exemplified by the *kamikaze* warriors.") If the newly independent nations of Asia do not applaud the Japanese as the real destroyers of western colonialism, perhaps it is because their memories of a cruel Japanese occupation or their requirements for national myths of their own obscure what the rise of Japanese power did to the West. →

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II

Some sense of this esoteric history is necessary in order to grasp the impact of Japan's forced warping into a new political and spiritual universe. The defeat of Japan was complete; the efforts since 1868 were now as nothing. What generations of Japanese had sought to prevent had nonetheless come to pass. They had failed before the gods and their incarnation, the Emperor. They had failed to preserve the *Kokutai*, the "national essence." Japan's new constitution, written by Americans, could be seen therefore as a proper punishment for failure, for the Emperor's now having to speak in his "human" voice. Article IX of that constitution, wherein Japan renounced war as a sovereign right of the state, became a forced renunciation of a theory about the entitlement to honor—the "*samurai*" ethic—and of long-held notions about the governance of the nation. Of course, parliamentary government of a kind was not unprecedented; it had existed in the 1920s. But it was reborn in the 1950s out of military defeat, not political evolution.

Forcible conscription into the post-World War II "international community"—a world so utterly different, a world of Anglo-American principles and American-guaranteed security—was another consequence of defeat. Japan's participation in an earlier, Wilsonian, experiment, the League of Nations, had been turbulent and futile. Japan withdrew from the League in 1933, thinking it a device for the preservation of western privilege and, as such, inherently anti-Japanese. What, then, should Japan think of the United Nations, of the General Agreement on Tariffs and Trade, of the whole panoply of international organizations and devices—all creations of the western mind, all incomprehensible in terms of that "national essence" in whose defense hundreds of thousands had given their lives?

These post-1945 international agreements constituted the third "world order" of modern Japanese experience, and the Japanese had to come to terms with it. Besides, the competing system of international relations, the "proletarian internationalism" of Stalin's empire, was hardly appealing. There might have been worse consequences of defeat. Those selected for Japan by the United States were no doubt the choice the Japanese would have made for themselves.

The contemporary Japanese polity may have unusual origins, but it is hardly unusual in defining a worthy role for Japan in world affairs. Japan is again a model—the "Switzerland of Asia"; the unarmed economic superpower; the nation of consequence that eschews militarist trappings; the only nation to have experienced atomic attack; the nation with a special role in the nuclear era. This is the way the Japanese establishment points out that, under its guidance, Japan has achieved spectacular and brilliant successes. It is the elaborate way that the Japanese governing elite links its future to the success of its foreign policy, to its continued ability to make the American-inspired order of things, domestic and foreign, work for Japan.

Yet for all Japan's conspicuous prosperity in the postwar system, the nation's emotional affiliation with the "Wilsonian world" is hesitant and tentative. Alone, Japan is poor; it thrives only by its ties to the world; it is the most "interdependent"—the most vulnerable—of the industrial democracies. It seems ill at ease in such surroundings and circumstances. Universal values have hardly overcome Japan's mystical sense of its own uniqueness. Consider language alone. Professor Roy Andrew Miller of the University of Washington writes of prominent Japanese scholars

...who so stoutly maintain that it is now, and will continue forever to be, impossible to establish any convincing data concerning the genetic relationship of the Japanese language to other languages in the world....

For these scholars, Japanese is not simply a language but an ineffable sociolinguistic experience. Although this experience is incapable of explanation to the outsider, it remains meaningful beyond description to the members of the group. Membership in this group, however, is available only by the accident of birth."

**The Japanese Language in Contemporary Japan, AEL-Hoover Policy Studies, 1977.*

The Japanese do not want to be, nor do they think they can be, spoken to in their own language. Professor Miller describes an ingrained Japanese view, that

...the mastery and utilization of the Japanese language by foreigners implies an upset of the natural order of things.... A foreigner speaking Japanese amounts to the public performance of an unnatural act. Such flouting of the natural order (here to be understood in general and historical Confucian terms, with *nature* as a synonym for morality and ethical culture) can only result in natural retribution.

The Japanese, Miller explains, speak of *hazu*, the

...natural expectation of ethical, moral normality and regularity, this standard of natural order—that is violated when foreigners give evidence that they understand Japanese by using it and speaking it. When foreigners do use the language, something is ethically and morally out of joint somewhere in the natural order of the universe....

III

Thus does Japanese culture retain enormous powers to call up a "Japanese" sensibility. Deeds, words, and events enter the political milieu in puzzling ways. One of the most significant public events in Japan in the past decade was the 1970 suicide (at age 45) of the brilliant Japanese writer Mishima Yukio. Mishima and four devoted followers seized the office of a Japanese general in a military headquarters building in Tokyo. Mishima himself spoke from a balcony to about 1,000 soldiers who had assembled below. Then, in the traditional warrior manner, he committed *seppuku*, ritual self-disembowelment. His 25-year-old second lopped off the master's head (as tradition prescribed), took his own life, and was himself decapitated by his own second. In prior writings and in his pre-suicide speech, Mishima had denounced Japan's loss of its true spirit. He wanted his death understood as a protest against official pacifism, excessive materialism, the soulless prosperity and meaningless affluence of Japanese society.

The significance of this event is revealed in the popular reaction to it. Mishima was taken at his word. There was, first of all, the tone of the official response. Prime Minister Sato Eisaku (the Nobel Peace Laureate in 1974) had dismissed the act; "he must have gone crazy," was his initial reaction. But he retreated before the wave of national self-examination occasioned by the novelist's death. Sato addressed the Diet (Japan's parliament) and recanted. "Violence must be avoided," he said, "but we should respect his motives." Defense Minister Nakasone, who had first termed Mishima's act "fanatical," later said that it might yet prove to be a "milestone in the evolution of Japanese political thought." "Craziness," then, is not an explanation that many Japanese will readily accept for political behavior. One must instead take seriously any individual's stated purpose for his own acts—especially if the act is self-destructive.

It was predictable that pro-rearmament "rightists" would seize on Mishima's suicide for purposes of their own. Less predictable, but nonetheless explicable in the Japanese context, was that the far left also found Mishima's act inspiring. Leftist militants expressed their admiration for his courage; some thought they had need of a Mishima among their own number. Mishima's ideology seemed less important than the selflessness and symbolism of his uniquely Japanese act. But in much the same sense that the Japanese prefer that foreigners not speak their language, so they hoped that foreigners would not notice Mishima's death. There was "concern" among high government officials and journalists "that the old stereotypical view abroad of a strange and barbaric Japanese society would be reinforced by the publicity given Mr. Mishima's suicide." Here then, in microcosm, one discovers a powerful dilemma in contemporary Japan: Evocative symbols and models of virtue are somehow sensed as an embarrassment before the outside world.

There is no straight line, surely, between the "embarrassment" of a Mishima and the far greater embarrassment of a deadly Japanese export, the *Sekigunha* ("Red Army Faction"). But there

is a connecting thread, if not in the organization's eccentric and obscure ideology or its severe asceticism, then in the historical precedent of *ronin*. As these masterless *samurai* had wandered the country looking for new masters, so do these demoralized youths look for a cause worthy of their willingness to engage in acts of self-destruction. "World revolution," whatever it means, is surely one such cause. In its behalf, Red Army terrorists murdered 24 people at Tel Aviv's Lod Airport in 1972, and in subsequent years they attacked the French Embassy in the Netherlands and the American Embassy in Malaysia. They reappeared this past October as hijackers of a Japanese DC-8, diverted to Dacca, then to Algeria. The Japanese government paid \$6 million ransom and freed six convicted criminals, the hijackers' terms for the release of passengers and crew. The *Sekigunha* probably has no more than a hundred followers inside Japan, and no more than two dozen operatives outside the country. It differs from its idealistic and violent predecessors of the modern Japanese era in that its deeds are considered revolting, not inspirational. But, even so, the Japanese response to the Red Army's mini-war against the world order is instructive.

The decision to meet the terrorists' demands proved highly controversial. The Justice Ministry, especially, was upset by the decision to release, among others, two convicted murderers. Minister of Justice Fukuda Hajime resigned, saying that he did so not because he disagreed with the decision, but because he had responsibility for the decision even though he had not made it. "I hope the public will understand that I have fulfilled my mission," he said after resigning. Professor Aida Yuji of Kyoto University, a forceful critic of the government's actions, said in an interview: "If I may speak in extreme terms, I would like those who made the decision not merely to resign but to kill themselves."

The terrorists, the criminals, and the ransom were, by now, all in Algeria. The Japanese government thereupon requested that the Algerian government return the released criminals and the ransom. The Algerians refused, saying that they had accepted the group on the basis of an understanding that Japan would not make such a request. One Japanese commentator, very much disgusted by the Red Army, said nonetheless that in making this request for extradition, the Prime Minister had "apparently lost all sight of reason....It gave the impression of double dealing....This [request] shows a lack of pride and self-respect; it is self-centered." Japan had now been doubly shamed—and was to be shamed again when commentators around the globe noted the difference between West Germany, which struck against the terrorists in far-away Somalia, and Japan, which paid ransom, released criminals, and then went back on its bargain. Is this the respect due for exemplary anti-militarism, for being the "Switzerland of Asia," for being the only nation in the world whose constitution, as we have noted, renounces war as a sovereign right of the state?

IV

Our discussion of Japan and the world order must now be brought back down to earth. After all, Japanese foreign policy is not made by historical linguists, disaffected writers, anomic intellectuals, or amoral criminals. It is made by tough foreign affairs professionals, by corporate executives, by determined careerists. Their Japan is the only non-Caucasian, non-Christian country to become a prosperous parliamentary democracy. But as the foregoing discussion has suggested, Japan's relationship to the other prosperous democracies is different from that of any other member of the group. For the association rests on an order that is strange and uncongenial, at variance with much of Japanese history, tradition, culture, and sense of personal worth. It is therefore all the more likely that

Japan's responses to that order under stress will be drawn from its own experience, in ways hard for us to imagine.

Why is this our business? And in what sense is the "world order" under new stresses sufficient to concern us? After all, the order has been under direct Soviet assault for 30 years, and the Japanese must certainly be accustomed to that. But the Japanese face yet another kind of challenge to the order, for they have perceived how the discussion of "global issues" within the *non-Communist* world is developing in a manner that they, by their very powerlessness, must appear to endorse, even though they do not endorse it. For example, Japan is wholly dependent upon imported natural resources and petroleum. It therefore has shown the greatest "understanding" of the OPEC and "third world" positions on regional and world issues. It is an "understanding" deepened by the refusal of the United States to sell surplus Alaskan oil to Japan, even though that oil cannot yet be fully utilized in the United States.

The challenge, even within the non-Soviet world, to the American-inspired international system underscores Japan's anomalous position. The newspapers report on strained trading relations among Japan, North America, and Europe—the "Trilateral." Japan exports too much, imports too little, must revalue its currency and reduce its trade surplus, lest its continued economic successes menace the economies of the European Community and the United States. In fact, Japan bends, sometimes breaks, the rules; its protestations of innocence are disingenuous. But the West's trading counteroffensive obviously bespeaks a fundamental, not merely a tactical, hostility; in the sovereign equality of trilateralism, some are more equal than others. A trading nation like Japan will ponder the more general question: Can the essentially free-trade rules of the postwar period survive a protectionist movement of an intensity unknown in the past 30 years? How much should Japan pay to keep the system going?

Japan finds itself also cast as an "enemy" by the poorer countries of the world who seek to exploit their UN majorities and their natural resources to short-circuit the process of economic development. Instead of saving, investing, and working, they seek instead to extract direct transfer payments from the more successful states. It matters not that the coalition of the poor advances a theory which, even if implemented, will make it no richer in the long run. What matters is that in propounding a new economic arrangement, these poor countries are arguing for a new political arrangement on a global scale. The "new international economic order" is to be very much different from the current one. As Daniel Bell noted in these pages last December, the "developing countries" want 25 percent of world manufacturing output shifted into their hands by the year 2000. Achieving this target without disruption would require a steady growth of 11 percent per annum in world industrial output, or more than twice the five percent annual growth rates of the unprecedentedly prosperous years from 1947 to 1973. Professor Bell rightly calls the obscure and turgid UN document containing these calculations the "'Communist Manifesto' for the next hundred years."

Japan is pressured from four sides not to act in its own self-interest. Two of these pressures originate in the West—both the new protectionism and the apologia for the "moral" claims of the "underdeveloped." A third source of pressure is the "developing world" itself. And fourth, and always hovering, is the Soviet Union and its strategic designs.

Yet who defends those international principles, especially those of economic openness, to which we committed Japan in 1945? One can hardly expect the newest member of the "group," Japan, to be a source of intellectual and political vitality in these matters. But the principles need defending nonetheless. Most Americans are unaware, for example, of the ongoing negotiations, under UN



auspices, to write a new law of the sea. Essentially, the underdeveloped majority seeks a regime which would place all deep-sea resources under the control of the UN General Assembly. Such an arrangement, or anything like it, will have major consequences for Japan—for its food supplies, for its access to seabed mineral resources. But whatever economic effects such proposals may produce, they originate in an antithesis to liberal political and economic thought; and they will spawn international organizations, established in the name of "equity," but functioning to the detriment of all free-enterprise democracies.

How fragile is the liberal order? France and Italy, parts of the western world, are thought vulnerable to "Eurocommunism" or "Finlandization." In West Germany, measures taken to combat

terrorism trigger speculation about the durability of democracy in the country of Goethe and Mann. If there is any basis for such concerns in Europe, should not those concerns be extended to Asia? There we find a Japan that has no real historical, cultural, or psychological stake in the western system. Japan's stake is *material* and, as such, ultimately practical. Much as we must discuss the American commitment to Japan, we must also develop a better understanding of *Japan's* commitment to the world system, to "our" system of collective security and liberal economic cooperation. This is an important question. To ignore it is to reveal both a failure of cultural imagination and a gap in strategic analysis. For world order is much dependent on a continued will to pragmatism by this brilliant and formidable people. □

Elliott Abrams

The Senate Since Yesterday

Though the Senate today is quite unlike what the founders envisioned—absent so many of its original tasks and so much larger than when it first met—it maintains a distinct utility to our system. In fact, that the "Golden Age" of the Senate is over may well be cause for satisfaction, rather than regret.

On entering the House of Representatives at Washington, one is struck by the vulgar demeanor of that great assembly. Often there is not a distinguished man in the whole number. Its members are almost all obscure individuals....At a few yards distance is the door of the Senate, which contains within a small space a large proportion of the celebrated men of America. Scarcely an individual is to be seen in it who has not had an active and illustrious career....

So wrote de Tocqueville in *Democracy in America*, and his view of the Senate was not idiosyncratic. Bryce called the Senate the "masterpiece of the constitution makers"; Gladstone spoke of it as "that remarkable body, the most remarkable of all the inventions of modern politics."

Such views are those of an earlier century, and are seldom, if ever, heard today. The "Golden Age" of the Senate is now more than a century behind us. Can it be that, like the House of Lords, the Senate has outlived its usefulness? Or, sadder yet, can it be that, *unlike* the House of Lords, the Senate has in its much shorter lifetime lost its distinctiveness and much of its value?

It is clear that the Senate of today is a very different institution from that which its founders envisioned. It is an enormous body, with 100 members, scores of committees and subcommittees, and thousands of employees; it is directly elected; its role as a check on the follies of democracy is ended, and in any case would today be considered illegitimate. One can plausibly argue that today the main differences between the House and the Senate are the Senate's smaller number of rules and greater number of presidential aspirants. Yet this would be overstating the case, for the Senate retains a good measure of distinctiveness and, thereby, of special value.

It is worthwhile tracing the development—"progress" might be an inappropriate term—of the Senate towards its present condition. At its inception, it was decidedly the weaker house, as had been planned. Madison stated at one point that, as he was young and ambitious, he could not afford to accept a seat in the Senate. And the weakness of the Senate lasted for some years: The great debates over the War of 1812, for example, were held in the House.

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Yet quickly the Senate began to gain power. The new century brought with it the fundamental moral and constitutional clashes which culminated in the Civil War. For these, the Senate was the locus of national debate. Its small, acoustically fine chamber was populated with the likes of Clay, Calhoun, and Webster, as well as many others well trained for discussion of legal and moral principles. Its rules permitted unlimited debate, and its small membership made it possible for individual senators to be heard at length, and to be heard throughout the nation. The Senate reached the zenith of its prestige during the years between the Missouri Compromise in 1820 and the Civil War.

Yet even in those years the Senate had begun to change and to become more like the House and less a collection of distinguished individuals waiting to curb the occasional excesses of the other, more powerful body. In 1816 the press of legislative business forced the Senate to give up electing an ad hoc committee to study each bill as it was introduced. Instead, permanent committees with set jurisdictions were established. A more significant change came in 1846, when the Senate began to endorse party slates, rather than elect individuals, for committee membership. As George Haynes wrote in *The Senate of the United States*, "In the history of Senate organization few periods have been of more interest and significance than the ten days at the opening of the second session of the twenty-ninth Congress, December 7-17, 1846," when party became the organizing principle in committees.

From that time on the importance of party grew. In 1911 the Democrats, and in 1913 the Republicans, first formally elected a leader. More and more, issues were settled not by floor debate, but in party councils. Carter Glass, who served in Congress for a total of 44 years, could state in mid-career that, "In the twenty-eight years that I have been a member of one or the other branches of Congress, I have never known a speech to change a vote." And with each successive move to a larger chamber, the Senate has adopted a location less conducive to debate.

Yet the changes within the Senate are only part of the story. Equally important was the transformation of the issues the nation addressed after the Civil War. Fundamental moral and constitutional issues, which the background of most senators well suited them to debate, were replaced by economic questions such as the regulation of industry. The prestige of the Senate declined as its

special contribution to a national debate disappeared. Moreover, as senators came more and more to be seen as representatives of particular economic interests, the body grew unpopular. It was in this period that the Senate was accused of being a "Millionaire's Club."

The Progressive Era saw an enormous change in the Senate: In 1913 the 17th Amendment was ratified and senators began to be elected directly. Woodrow Wilson had written in *Congressional Government* that

The Senate is fitted to do deliberately and well the revising which is its properest function, because its position as a representative of State sovereignty is one of eminent dignity, securing for it ready and sincere respect, and because popular demands, ere they reach it with definite and authoritative suggestion, are diluted by passage through the feelings and conclusions of the State legislatures, which are the Senate's only immediate constituents.

Ah, the good old days. There is no question that the ratification of the 17th Amendment made the selection of senators more democratic, but it also brought a transformation in the nature of the body. As the Senate was organized more and more around party and less around "celebrated" individuals, and as its distinct role as a check on the House was eliminated, the Senate became more and more like the two other elected branches in the government, the House and the Presidency. Thus it began to grow even faster. The Legislative Reorganization Act of 1946 marks perhaps the most significant turning point since 1913, for it began an extraordinary enlargement and bureaucratization of the Senate. If one dates the great increase in the size of the Executive from 1933, one may say that Congress took 13 years to make up its mind to react. But react it did. Here, there is no substitute for data. In 1877 the Senate had 106 employees, and in 1947 it had 1,080. Today it has roughly 6,700. Senate expenditures have grown from \$15 million in 1955 to \$120 million in 1976. In the 85th Congress (1957-58) there were 2,748 Senate Committee meetings, and in the 93rd Congress (1973-74) there were 4,067. In the 85th Congress there were 313 roll-call votes in the Senate, and in the 93rd there were 1,138. Nor can the increase in the size of Senate operations be attributed to a like increase in all federal government activity: From about 1880 to today, federal civilian employment grew 30 times over, but Senate employment grew more than twice as fast.

An additional effect of the 17th Amendment was to reduce the Senate's role as a link between state and federal governments. One may question whether, by 1913, this role was of very great importance, but it did mark yet another shift from the plan which the founders of the Senate had in mind for it.

The Senate no longer serves, then, as a formal link between state and federal governments, or as an intimate chamber of celebrated men insulated from the winds of popular opinion.

Perhaps all of this was inevitable. As the country developed a two-party system, it was to be expected the Senate would do so as well. As economic issues replaced constitutional issues, stirring debate became less frequent. As the size and role of the federal government grew, so the Senate responded by hiring the staff it needed to keep up with the press, and complexity, of business. So the Senate grew less unique, and more like the House. And today, like the House, the Senate suffers from a condition it was, in the original plan, supposed to escape, and which constitutes perhaps the most important deviation from its original role.

The Senate today is mired in detail. It is a body of "elected bureaucrats," as some have said, or a "gigantic regulatory commission." At the recent Senate-House conference on energy, hours were spent wrangling over matters such as whether to grant tax credits for replacement of furnace boilers or only furnace burners, or for purchase of clock thermostats or of all auto-

matic thermostatic devices. There are two things wrong with having the Senate make decisions such as these. First, they are not so much policy questions as technical ones, which data and expertise would answer once general policy were established. Senators lack this data and this expertise. Second, as the senators waste their time with such trivia, policy decisions are in fact not made—or, too often, they are made by senators who have not devoted to them the time and attention they deserve.

Senator Howard Baker, the Minority Leader, has remarked on the problem:

I look on these desks, these historic desks in the Senate Chamber, and almost every day I see another bill that is 10 pages, 100 pages, sometimes more than 1,000 pages long; and I realize that what we are doing...is trying defensively to write rules, regulations, and guidelines in an attempt to implement the law. We are trying to be bureaucrats....That is not our turf. Our turf is to write laws. Our turf should be setting the broad, general policies of the United States....I hope we would focus more attention on the business of the policy of the government and have a greater care for its execution by the executive department.

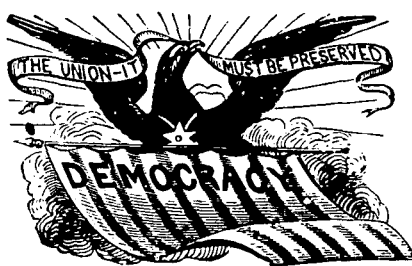
Baker's solution is simply to have the Senate meet only half the year, and resolve not to be tied up like Gulliver by a thousand little knots of detail. It won't work. Senators now consider every detail of life because the federal government now intrudes into every detail. So long as constituents are concerned about the precise limits of OSHA's power to regulate ladders, so will senators be. Senators write detailed instructions because they want to be sure the bureaucrats do what the Senate intends. And in addition to

their role as legislators, senators act as ombudsmen, the last, best resort of the citizen run afoul of the bureaucracy. One thing the Senate can do is spring loose Veterans Administration checks that have been mis-mailed. So long as it is thought that Senate inattention to detail will enlarge the *lebensraum* of the bureaucracy, and perhaps damage interests a senator represents, the Senate is most unlikely to abandon those 1,000-page bills. Every clause in them ties down an agency, or benefits some constituent, or both.

Nor can the Senate leave detail work to staffers while senators attend to matters of high policy. For detail is politics, and politics is one subject on which senators keep a very tight grip. The staff member may listen to all sides, boil down arguments, gather data, and recommend a course of action, but the ultimate choice is almost always political—who gets what—and that choice a politician carefully keeps to himself. No amount of reorganization of the Senate's committees or expansion of its staff, no amount of computerization, can ever lift the Senate from the slough of detail. Already Congress has given birth to the Congressional Budget Office, the Office of Technology Assessment, and several other minor bureaucracies in an effort to deal with the huge expansion in its responsibilities. All to no avail. The Senate's problems do not stem from mismanagement and cannot be cured by efficiency experts, for the Senate is not a bureaucracy and can never become one. Its political organization is more akin to that at Runnymede than that of the modern corporation, and this is a condition which not even McKinsey & Co. can ever remedy.

If Senator Baker wishes to reduce the Senate's concern for detail and enhance its concentration on high policy, he will simply have to eliminate the cause of this condition, which is the scope of the federal government's activities. The real point is not that the Senate should not be deciding about clock thermostats, but that no one in the federal government should be. Once the price of energy is established, homeowners will buy clock thermostats if they think it will save them money to do so.

It is ironic that in the debate over the proper role of government which has broken out in recent years, the Senate of 1850 would have played an invaluable role. Yet, as Woodrow Wilson wrote in 1885, "The truth is, the Senate is just what the mode, of its election and the conditions of public life in this country make it." We are no more likely to return to a



Senate like that of 1850 than we are to another Constitutional Convention like that of 1787.

Yet the Senate is not a vestigial organ of the Constitution, or a smaller version of the House, even given this catalog of transformations and criticisms.

Some of the distinctions between the House and Senate are, it must be said, of greater interest to senators than to those who elect them. There is, first, the matter of rules. As George Haynes wrote:

The greatest cause of differentiation between the Senate and the House is to be found in the rules and procedures under which the members of the one and the other carry on their work. The membership of the House is so great and the volume of bills and resolutions so enormous that of necessity its whole procedure is strictly regimented....

It remains true that Senate rules permit unlimited debate, and are much more liberal than those of the House regarding floor amendments.

Moreover, senators have greater stature in their home states, they have larger staffs and more office space, and, perhaps the most important difference of all, they have six-year terms. It is, overall, much more pleasant to be a senator than to be a representative, and this fact alone would attract able—though as well unable—men to seek the Senate. Add that the Senate, unlike the House, is a staging area for those with national political ambitions, and it may be seen that those in politics will never confound the two bodies, and think the Senate a carbon copy of the House.

But, as noted, these are differences of interest more to politicians than to their constituents. The Senate serves the populace in other ways.

By its very existence, it greatly strengthens the federal system. Of course, after 200 years of union and constant population shifts, rivalries between the states are much reduced, and sectional rivalries such as the current Sunbelt-Frostbelt contest are as much in evidence in the House as in the Senate. Moreover, the Senate's role as protector of small states has evolved in a manner which the Founding Fathers may not have had in mind. In close votes, small-state senators can sometimes hold out for formulae which, instead of distributing federal funds according to need, set minimum amounts which even the smallest state will receive. This is not so much protection of the small states as extortion by them, since there is little to be said for it as a matter of public policy.

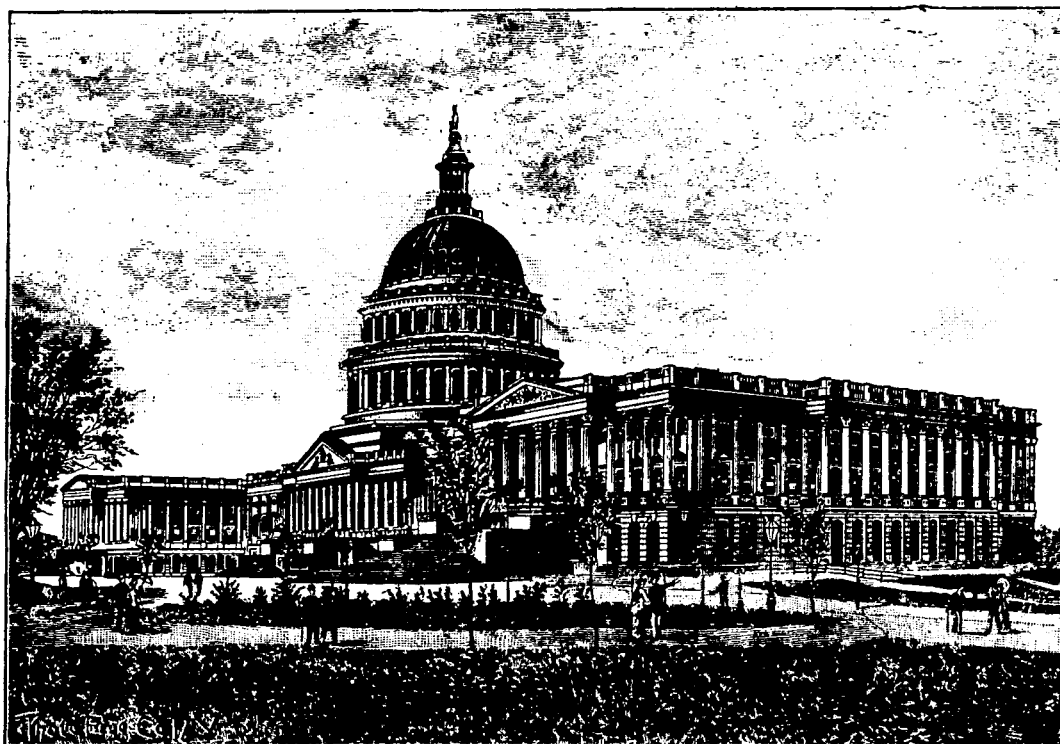
Nonetheless, the Senate gives life to the notion that, despite the growth of the central government, we remain a federal system. It consists, unlike the House, not of representatives of groups of

citizens, but of representatives of states—if not, after the 17th Amendment, of representatives of state governments. By its very existence the Senate reminds us that there are other levels of government besides the national, and that there are other levels of association possible among citizens besides common national citizenship. This is a greatly complex matter, to which I can do no more here than advert; but at the very least it can be said that the Senate remains a bulwark, as it was meant to be, against total centralization of governmental authority.

And it continues to enjoy certain perquisites not allowed the House, namely, the power to ratify treaties and to confirm presidential appointments. Here one may celebrate the theory while being less pleased with the Senate's use of its powers in practice. Indeed, here are two excellent examples of how the Senate could enhance its value by emphasizing its uniqueness.

As to presidential appointments, the Lance affair has recently demonstrated that confirmation hearings are all too often cursory. There is no excuse for this. The appointment of high-level bureaucrats in a country in which their power is enormous should be a matter of concern and close attention. So too with treaties: The Senate's role and its opportunity to serve the nation are unique. If this means that presidents must pay more attention to popular opinion and the representatives thereof, and less to foreign policy mandarins, it is likely that the nation will benefit. Such, for example, is the lesson of the SALT negotiations.

Few today, to return to Bryce and Gladstone, would call the Senate the "masterpiece of the constitution makers" or the "most remarkable of all the inventions of modern politics." A more persuasive argument would, in my view, address such words to the Supreme Court, if not to the Presidency itself. If these branches of the government are not quite what the "constitution makers" intended, it is because their contribution to the public weal is greater, not less, than had been envisioned. Yet it is not, in the end, remarkable that the Senate has changed and is so unlike the body its founders envisioned. On the contrary, it is but another example of their extraordinary foresight that the body, absent so many of its original tasks and so much larger than when it first met, maintains a distinct utility to our system. That the "Golden Age" of the mid-19th century is over may well be cause for satisfaction, rather than regret. The debates of those years were fierce because the struggle they embodied was the worst internal conflict the nation has ever suffered. If a greater consensus on most political issues reigns today, a duller and less powerful Senate is a price most Americans will think worth paying for it. □



Will the Senate Sober Up?

The demands of the postwar world have transformed the Senate from an "exclusive club" into something like a convocation of princes from a hundred private fiefdoms. Therein lies the dilemma of Majority Leader Robert Byrd.

In his masterwork, *The American Commonwealth*, Lord Bryce wrote a century ago what remains a fair description of senators today:

[R]eviewing the whole hundred years' history of the Senate, the true explanation of its capacity is to be found in the superior attraction which it has for the ablest and most ambitious men....[But] a sort of Olympic dwelling place of statesmen and sages...it never was; and nobody would now so describe it. It is a company of shrewd and vigorous men who have fought their way to the front by the ordinary methods of American politics, and on many of whom the battle has left its stains.

Robert Byrd has known battle. Born into rural poverty, he was a store clerk and butcher, before opening his own shop after World War II. He eyed and won elective office for the first time in 1946, when he took a seat in the West Virginia House of Delegates. To the State Senate in 1950, Congress in 1952, to one of the state's two then-vacant U.S. Senate seats in 1958—it was an awesome climb from shopkeeper. Almost equally remarkable was his dogged pursuit of education. Byrd won his law degree in 1963, at the age of 45, after more than two decades of night college and night law classes.

By a combination of ability and diligence—and by attention to the mundane and tedious tasks of a shopkeeper—Byrd advanced from a leadership job of minor importance to a key role in national affairs. When Senate Democrats organized for the new session in January of 1967, Ted Kennedy's then-rising star was boosted by election to the Senate's number-two leadership post, Majority Whip. Byrd was elected to the comparatively insignificant number-three spot, Secretary of the Democratic Conference.

Majority Whip is a prestige job, but it is also something of a nuisance job—knowing which senators are in town, and when, holding off votes until this one's plane lands or that one returns from the White House. It was the burden of these trivial affairs, these daily nuisance-chores for colleagues, which Byrd offered to lift from Whip Kennedy's shoulders, an offer which Kennedy, mourning his last brother, accepted. And it was appreciation for these daily protections that provided the 31-24 margin by which Byrd, in a stunning victory in January 1972, stripped the Whip mantle from a post-Chappaquiddick Kennedy. A loss from which Kennedy's Senate career has never truly recovered, for Robert Byrd it was the big step up.

Byrd appeared by cast of mind and temperament the perfect Whip. He seemed well-suited to the daily chores of the Senate floor, and by exercising those responsibilities he freed the Majority Leader, Mike Mansfield, for other more interesting, and presumably more important, affairs. In fact, it was Byrd's attention to the practical duties of a Whip which served as the point of attack in the attempt by "liberal" senators to prevent his accession to the top post upon Mansfield's retirement. Byrd would be

unable to lead the Senate properly, they argued, because he was a handyman, not an "issue-man." He lacked, as it were, the moral authority which comes to one who has exhibited a consistent attachment to liberal-progressive ideals.

The alternative was Hubert Humphrey, whose health was beginning to decline but whose ideological attachment was unquestionable. Yet the Humphrey effort never quite got off the ground, in spite of Senator Kennedy's success at persuading other contenders to withdraw and some agreement within the "liberal" bloc to back Humphrey. Partial agreement was not enough: When influential "liberals" such as Abraham Ribicoff refused to back off their previous commitments to Byrd, the Humphrey candidacy was finished.

So Robert Byrd assumed the office of Majority Leader. An intelligent, hard-working, canny man, he views his role as one of expediting Senate business. He tells freshmen senators what has been told freshmen for decades: that they have two types of colleagues, "work horses and show horses." It has never been in doubt which kind Byrd is, or considers himself to be.

Criticized in the early weeks of the Senate debate on energy for not pushing harder for the Carter program, Byrd responded, "I always feel it best for the Majority Leader to stay in the background, unless it is necessary for him to move forward." He defends Senate prerogative's against executive pressure, often asking that the Senate be allowed to "work its will." But he will also fight for his own prerogatives as Majority Leader. He is capable of being a "tough cookie," more willing to reward and punish than was Mansfield, although he seems not as harsh with those who cross him as was Lyndon Johnson. He knows the ins-and-outs of Senate procedure as well as anyone, and much better than most.

The ideological criticism remains, of course, that Byrd is, as one of his disapproving colleagues put it, like a "plumber"—not caring what is in the pipes as long as things keep moving. Depending on your view, that may not be such a bad thing. What does seem worrisome has been Byrd's noticeable lack of success at keeping the pipes clear whenever important issues were before the Senate. Several times in the past year, and to an ever increasing degree over the past several years, legislation has been stuck on the floor for days and the Senate held hostage by a handful of intransigents. Best publicized of these incidents was the two-week delay of the natural-gas-price bill carried on by Senators Abourezk and Metzenbaum last September.

To understand the significance of these stalls, consider how they differ from the "talkathons" of old. Indeed, they are not talkathons at all. They are shrewd attacks upon the weakest links in the chain of present-day Senate procedure. That means that in large part they are attacks on the power of the Majority Leader.

In the most passionate Senate debate of our time, the opponents of the 1964 civil rights bill by and large accepted defeat once a cloture motion to end their filibuster had passed. But when cloture was "invoked" on the central amendment to the gas bill, the

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filibuster had only just begun. Under Senate rules, amendments "at the desk" before cloture is invoked may be brought up for consideration after cloture. What are not allowed are "dilatatory" motions and tactics—that is, purposely delaying the bill's passage.

That didn't stop Abourezk and Metzenbaum. Following the methods of Senator James Allen of Alabama, who over the past few years has perfected the procedural stall—and who, although an opponent of price controls, advised the duo throughout—Abourezk and Metzenbaum had 508 amendments filed at the desk by the time cloture passed. Since each amendment was itself debatable, the invoking of cloture became a meaningless exercise.

After two weeks as hostage of the intransigents, having used every weapon in his arsenal without success, Byrd reacted with a display of raw power. On Monday, October 3, after a parley with Vice President Mondale, Byrd requested a "ruling of the chair" from Mondale to the effect that it was within the power of "the chair" to rule out of order any amendment it deemed dilatatory on its face. Mondale agreed, and when the ruling was appealed by the intransigents, a majority of senators—tired and frustrated after two weeks of non-debate—also agreed. Several hours passed. At four o'clock in the afternoon, Byrd took the floor and began to call up Metzenbaum's amendments. One after another, Byrd called them up and Mondale slapped them down. To screams of protest from others on the floor, Mondale cast a deaf ear, refusing to recognize anyone but Byrd—and thereby preventing any of his rulings from being appealed to the whole Senate. Within 20 minutes, the Byrd-Mondale combo had disposed of some 30 amendments; the intransigents buckled and agreed to allow final passage of the bill the next day. One abuse of the Senate's procedures had instigated another more stunning and dangerous.

This is just one instance of how the numerous Senate rules and traditions that protect minorities of Members and individual prerogatives are breaking down. Ultimately, the survival of those protections hinges upon the existence of some reasonable ethic of fair play, which prevents their tyrannical (and sometimes successful) use by zealots. Yet the very existence of such an ethic presupposes a body infused with enough sense of common purpose to sustain those standards. That does not mean an agreement on particular issues. It does mean there need exist a sense of membership strong enough to suppress the extravagances of ideology and the temptations of the nightly news—a sense the Senate now lacks.

For in this as in other visible ways, the Senate exhibits evermore distressing signs of suffering the thralls of institutional crisis. Expediting legislation, mediating successfully, passing bills—all these should be seen as a play within a play: important, perhaps even inciting, but always part of a larger whole. That whole is the preservation of a functioning institution for those who will come after. A sense of membership, and thus legislative efficacy, depends on the recognition of a shared responsibility in that enterprise.

This quagmire is not of Byrd's making. It has been developing for years, in large part from pressures on the Senate which have transformed it from an "exclusive club" into something like a convocation of princes from a hundred private fiefdoms. So what begins as an attempt to understand Robert Byrd, to assess his

skills and techniques in office, becomes in the end an appraisal of the modern Senate's predicament.

Procedure is a bore. In the best of times, it is a map of a road driven a hundred times before. But procedure is also a necessity, for there are times when rules must substitute for comity, when rules and customs are the frail impediments to chaos. The sensible institution keeps them safe, a legacy from those who have travelled strange roads.

Unfortunately, meeting the demands, foreign and domestic, of the postwar world was a road no one had travelled. Within a decade of V-J Day older ways of thought and action were being called outmoded. By the time Lyndon Johnson became Majority Leader in January of 1955, judgments about the Senate's value as an institution were being merged, in the minds of many opinion-makers, with the question of whether the Senate was passing legislation that fit their notions, often worthy notions, of the kind of place America should be. With that, earlier conceptions of what good Senate leadership entailed also changed.

Last August 5, as the Senate was nearing its summer adjournment, Robert Byrd detailed its accomplishments over the previous seven months. He asked that a 36-page review of the Senate's activities be printed in the *Congressional Record*. In so doing, Byrd followed the well-marked path of Lyndon Johnson, the man most associated with "the modern Senate," and a man frequently attacked while Senate leader for not having passed more "liberal" legislation. Johnson's response was to list repeatedly the bills the Senate had passed up to that point in the session. Passing bills, winning approval for legislation which, although not enough for ideologues, could not have been passed without Lyndon Johnson—that is how he perceived his job, and how he won his reputation.

Yet, to make the Senate "perform," as it had at no time since the pre-Court-packing days of the New Deal, Johnson had to

change the way it operated. In essence, if the Senate and its leader were going to be judged by whether agreeable legislation was passed, then the Senate's leader was going to make certain that in the mechanics of day-to-day procedure he had the power to lead.

In their perceptive analysis in *Lyndon B. Johnson: The Exercise of Power*, political columnists Rowland Evans and Robert Novak note Johnson's subtle but important alterations in Senate habits and procedures. By now they have become habits in their own right. They are Johnson's legacy of power to Robert Byrd, as well as the best illustration of how greatly the Senate has changed.

First of these is the frequent use of unanimous consent agreements. A procedural method of avoiding strict and time-consuming adherence to Senate rules, they say in effect, "if no one objects, let's do it this way." But Johnson utilized this old practice in tandem with the Majority Leader's power to schedule floor activity. So now, if all parties agree to time limits—and an effort to get them to agree is made on virtually every bill and amendment—the Majority Leader proposes a unanimous consent agreement which binds the Senate. The aim is to save time, but the effect is to rigidly structure debate. These agreements are the heart of Byrd's day-to-day technique. Like Johnson before him, and somewhat more than Mansfield, Byrd tries to keep floor activity within a



strict framework—which prevents all but the rarest Senate debates from becoming exciting or instructive.

By alternating between periods of relative calm and frenetic floor activity (in which numerous unrelated bills were considered), Johnson gave senators little time to bone up on legislation from committees other than their own. Thus the average senator no longer has much inclination to ask serious questions, or indeed to be very interested in such bills at all. Byrd uses this technique, as did Mansfield, but recent innovations such as the new budget process (which requires extensive committee work early each session, followed by a crush of floor activity in April and May) also contribute to a pattern of on-again, off-again floor consideration. And as rapid-fire lawmaking hinders the ability of senators to discuss bills in depth, so late-night sessions, another Johnson first, dampen enthusiasm for the fray. As might be expected of a night-school veteran, Byrd uses such sessions frequently. In 1977, more than 20 percent of all Senate sessions ended after 8 p.m.

Johnson's other tinkering with Senate procedure is the simplest, yet it has had the most profound impact on the conduct of senators. Traditionally, quorum calls were used for just that—to determine if a quorum was present. But because they also suspend debate, they provided Johnson with a way to mediate disagreements "on the spot." Johnson would "suggest the absence of a quorum," summon opposing sides to the cloakroom, win some agreement or compromise, and then return to the floor. By unanimous consent the call of the quorum would be suspended, and the Senate back in business.

As late as the 1940s it was normal for as many as 50 senators to be seated on the Senate floor each day. Today, ten is unusual. Prior to Johnson, if some difficulty arose the Senate would "recess to an appointed hour"—perhaps 20 minutes, perhaps two hours. In any case, senators knew when to return. But delaying quorum calls, on-and-off, all day long, depending originally upon the needs of the Majority Leader (today upon the convenience of whoever is on the floor), robbed the average senator of his certainty of when floor activity would resume. Staying on the floor soon became a waste of his time—there was plenty to do back at the office. Today his office, not the Senate floor or anterooms, is the center of a senator's world.

Here, then, is Johnson's legacy as Majority Leader: By an extraordinary force of personality and by shrewd manipulation of procedures he gave the ship a throttle; to an extent only recently perceptible, he also shattered the hull.

Much as some may regret its passing, the Senate of old vanished with limited government. It would be easy to sentimentalize the loss, but more realistic to admit that, after all, the Websters, Clays, and Calhouns were always the exception. What can be said of the Senate these men knew, however, or indeed of that known by Vandenberg and Wagner and Norris and Taft, is that it had room for exceptional men. It was the center of their world, a place in which they could hope to influence their less gifted colleagues. That is no longer, or at least is much less, the case today.

The Senate has changed, as has the role of government in general and people's perceptions of it. Spurred by a vision of

activist reform, goaded by a public taught to minimize the difficulties of representative government, the Senate and its Members learned to run a treadmill for favor. Practical, untheoretical men, leading active, often frenetic lives, senators allowed the institution in which they serve to slip into disrepair. It was, after all, what was being asked of them: to legislate, which meant to pass bills, not deliberate; to oversee a growing executive branch, which meant hiring thousands of aides to perform numerous legislative functions; to meet constituents and interest-group representatives, which meant less and less time for the Senate floor or for informal discussions with colleagues. By failing to judge which among its functions remained possible, and which, by the nature of the Senate's unique role in the national government, were most worthy of being maintained, the Senate has become a victim of the modern, massive government it helped to create. Over time, what had been a Senate of individuals has become a hundred individual senators.

Therein lies the dilemma of Robert Byrd. If he contents himself with the function of expediting Senate business, he remains prey

to ideological diehards like Abourezk and Metzenbaum and to erratic gadflies like James Allen. He looks ridiculous, and the Senate incompetent, as time and again intransigents thrust at the underbelly of a body less and less protected by an ethic of accepted behavior, a body so atomized that a handful or fewer dare to thwart 90 colleagues or more. If Byrd attempts to remove the potential for abuse, either by setting new precedents or by passing new rules, he extends his own power as Majority Leader—and in so doing continues the process by which the Senate entered upon its present travails. It is attaching to a Majority Leader powers to overwhelm colleagues who disagree—and our habit of judging Senate leadership by whether those powers succeed in passing agreeable bills—which bears much of the blame for eroding standards of behavior, and which has unleashed the possibilities of free-for-all and reaction. It encourages disharmony and frustration among the serious, while affording the quirky the excuse

that they have been "steamrollered" and put-upon.

In the end, the Majority Leader's power to hurry the ratification of popular opinion, like so much in "the modern Senate," is a repudiation of belief in the need for any Senate at all. For the Senate is the great "hedge on our bets," born of the realization that our opinions, like those of every public in history, can be wrong. That is a humble posture, as much betrayed by those who claim certain knowledge of the public good as by those who proclaim unswerving attachment to public desires.

His detractors scoff at the notion that Robert Byrd is more than a shallow, though canny, striver. Even if they are dead wrong, to expect him to refrain from using fully the weapons of his office—thus jeopardizing his public reputation—on the chance that it will result in some future good to the Senate seems a bit quixotic. We cannot expect such restraint unless there is first restored a public appreciation of the benefits of a healthy Senate: fewer slapdash laws which must be "patched up" year after year, a more thoughtful perspective on the long-range effects of government policies, a place where the ideas and aspirations of the nation can seriously be discussed. Until a greater public understanding returns, the Senate will remain in its present predicament. Few men can be lured to statesmanship when the reward is certain martyrdom. □



James Ring Adams

Looking for the Urban Poor

When Jimmy Carter gets around to unleashing his new "national urban policy," the fight against "urban poverty" is sure to be the main attraction. But even to hope to deal effectively with urban poverty, he will have to define it. This is not as easy as most people think.

The simplest guideline is money, specifically the income threshold used in federal statistics. According to this basic standard, nearly 26 million Americans, 12 percent of the population, were poor in 1975. Nine million of these lived in the central cities, some six million more lived in the surrounding metropolitan areas, and 11 million lived in the countryside.

Of the central-city poor, the Census says that slightly more were white than black. (But the Census has considerably confused the issue by counting Puerto Ricans, Mexican-Americans, and other Hispanics as white. In some large cities, these groups are worse off than blacks.) The vast majority of the non-city poor were white. The area of greatest poverty is the agricultural South; the area of the least is the industrialized North-central and Northeast.

The federal "poverty line" (actually a series of 124 income standards, varying by location and family size) can be seriously misleading. As specialists are increasingly complaining, the Census poverty index does not count "in-kind" income, such as government housing, food stamps, medicaid, and medicare. Thus it exaggerates the number of the truly poor and understates the impact of some very expensive social welfare programs. In a recent report which restated the Census to account for this aid, the Congressional Budget Office reduced the poverty population to one-third its previous size. Moreover, the CBO discovered that these programs were most effective in the northern industrial triangle, from Michigan to Maine, where, under the new count, the incidence of poverty was less than half that in the South.

These figures suggest a startling hypothesis—that poverty, strictly defined, is a *less* serious problem in the central cities, where social services are more readily available, than in the suburbs and countryside. This hypothesis is confirmed by a RAND Corporation study of New York City's welfare program, released in September 1976. This study reviewed more than 42,000 cases from the AFDC program (Aid to Families with Dependent Children), which is what people usually have in mind when they talk about welfare, and summed up the cash value of all the other benefits these families received—food stamps, medicaid, and so forth. The total income for the average case, assuming the family stayed on welfare the year round, was nearly \$2,000 *above* the poverty line. In the only other states that have tried to figure out the worth of the total welfare package—California and Michigan—these results held true as well.

So who are the urban poor? Some, we admit, may be welfare families who are not on the rolls 12 months out of the year. Their actual benefits thus fall short of the annualized figure. The RAND study, which assumed its control group had no outside sources of income, estimated that up to 17 percent of AFDC families with four members might still fall below the poverty line.

But the bulk of the statistical poor hardly fit the conventional

image. Most are probably single persons or childless couples. Although they are legally eligible for medicaid and food stamps available to AFDC families, there are fewer people from this group, because of either pride or simple ignorance, who take advantage of these programs. Some graduate students may fall into this class. A recent income-distribution study of New York City revealed that about eight percent of the family heads earning under \$4,000 had four or more years of higher education. But the largest single factor may be age. The most miserable people in the city are not likely to be welfare mothers or unemployed black teenagers, but those elderly whose only source of income is social security.

The RAND Corporation, the Congressional Budget Office, and several revisionist scholars are now telling us that welfare and poverty are not synonymous, in fact that welfare has by and large abolished urban poverty. Our jubilation at this news, however, has been easy to restrain. The problem of the big-city poor has been alleviated to a large extent by replacing it with the problem of the big-city welfare recipient.

The current welfare levels in some cities actually discourage people from seeking work. According to the RAND study, 95 percent of the four-person AFDC families in New York City make more in total benefits than the family head would receive working full-time, year-round, at the minimum wage. In its cautious language, the study observed, "Welfare could clearly be an attractive alternative to employment."

This point explains the mysterious phenomenon so vividly described by Daniel Patrick Moynihan—sharply increasing welfare rolls at a time, the mid-sixties, when the unemployment rate was declining sharply.

But the initial scholarly reaction to this phenomenon may have been too bleak. In the late sixties, welfare specialists talked about the unbreakable dependency generated by the system, leading to second and third-generation welfare families. More recently, they have focused on the apparent high turnover in the welfare caseload. According to the new interpretation, long-term cases are in the minority; most "clients" alternate between periods on the dole and periods at "dead-end" jobs.

Perhaps this new approach is exaggerated. In New York, it appears that many of these case closings can be attributed to paper shuffling, since the same families showed up on the rolls again a month later with no change in their condition. But the new mood among researchers reflects the changing pattern of the growth of welfare. The rolls levelled off at the end of the sixties largely because most of the eligible population had been signed up. More recent changes in size have reflected the changing condition of the economy. New welfare cases are frequently long-term unemployed who have exhausted their benefits. But the reverse of this situation is that these people are anxious to return to work as the economy improves.

The program that may reduce the worst evils of poverty and of the earlier government programs is economic growth. In the current circumstances, the debate over urban poverty should actually be a debate over the best means of obtaining and sustaining economic development. But that, as the poet has said, is another story. □

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Thomas Szasz and the "Myth" of Mental Illness

I am second to none in my admiration of Thomas Szasz. He has great merit in having drawn to our attention (in *The Myth of Mental Illness*) the scandal of forcible confinement of harmless, if eccentric, people who have been confined as mentally ill because they were a nuisance to their families, friends, or enemies, or to the community as a whole. Helped by the growing effectiveness of chemical means in the management of agitation and depression, Szasz has greatly contributed to liberating literally thousands of patients—who should never have been confined in the first place.

Everyone who wants treatment, including institutionalization, for the sake of changing or controlling his feelings or behavior should have a right to arrange for it; but (with one exception of which anon), no one should be forced to accept treatment or institutionalization against his will. Treatment need not depend on the presence of disease: Obstetricians or cosmetic surgeons treat conditions that are not diseases. Treatment should depend only on wishes and possibilities.

Szasz is quite right in insisting that psychiatry historically has confused clinical questions and judgments—dealing with the presence of pathology—with moral ones—dealing with the rightness, propriety, or acceptability of the behavior of the patient. Historically psychiatry attempted to separate the pathological, to be treated, from the immoral, to be condemned. But in practice, as Szasz points out so incessantly, moral judgments often were disguised as clinical diagnoses. They still are: In the past disease often was regarded as immorality; today immorality, including criminality, often is regarded as a disease. The separation of psychiatric and moral diagnoses still is far from complete. Often "treatment" has been worse than punishment—more painful, indefinite, and confining—while depriving "patients" of the elementary procedural safeguards and rights that even the worst criminals retain before and after they have been found guilty. Confusion in this area is not limited to psychiatrists. Thus, a federal judge recently decreed that involuntary confinement of the insane without treatment is unconstitutional as though (a) treatment existed for a great number of conditions for which it does not exist, apart from judicial hallucinations; (b) treatment somehow could justify, or make constitutional, involuntary confinement, which clearly, if it can be justified at all, cannot be justified by involuntary treatment. And how could treatment be voluntary if the confinement is not?

Thomas Szasz is right then. But he goes too far. Which is unfortunate for he risks discrediting a justified position for the sake of what seems to me a seductively simple but wrong view. From the true and lamentable fact that many diagnoses of mental disease are no more than disguised moral judgments of disapproval (and bad judgments at that, apart from being irrelevant) Szasz goes on to assert that there is no such thing as mental disease. This is cure by definition; it does not help either the patient or society.

Consider Freud's vivid and accurate description of obsession: "...the patient's mind is occupied with thoughts that do not really

interest him, he feels impulses which seem alien to him, and he is impelled to perform actions which not only afford him no pleasure but from which he is powerless to desist...he is perfectly aware of his condition...only he cannot help himself." Clearly obsession neither starts nor stops with a conscious (and voluntary) act; it is not desired by the obsessed and hinders and defeats his activities and wishes. To be sure, such a patient, although he suffers from a mental disease, is "perfectly aware of his condition" and capable therefore of deciding on treatment himself. Only part of his psyche is affected by his ego-dystonic condition. But what affects the patient is a disease, or the symptom of a disease, and he and others, except Szasz, perceive it as such. Mental diseases differ from physical ones in many respects. But they can be as involuntary, harmful, and incapacitating.

Obsession certainly does not call for confinement. But mental diseases may go further and affect other parts of the personality. The patient may lose all conscious control over his behavior and become unable to grasp or respond to rational communications, to judge the nature and effects of his acts, to be able to intend or control them. Surely this is seen when there is brain damage. Or even when a person is functionally disabled, intoxicated by drink or drugs. (Though I should hold drunks responsible for their acts for they contracted drunkenness voluntarily.) Irrationality and lack of control are also found when the disorder is purely behavioral without a detectable physical or chemical cause.

The Romans spoke of a person *non compos mentis*, who temporarily or permanently did not possess the rational ability required to exercise his rights as a member of society. Not all such persons need to be institutionalized. To do so, I agree with Thomas Szasz, may be neither necessary nor useful. But surely such persons exist; and, by definition, they are not competent themselves to decide whether they are better off institutionalized. Hence they may be confined involuntarily, on a basis other than their own decision, for the sake of either their own welfare—which they are no more competent to judge than an infant might be—or for the welfare of the community. The confinement has nothing to do with whether we like the decisions confined persons make—suicide, homicide, or any other—but only with whether their decisions are made while *compos mentis*, capable of making rational decisions, decisions that are intended and likely to lead to the intended effects. If they do not have a reasonable capacity to make rational decisions and are a threat to themselves or others, such persons may be confined. (Thus, most suicides are temporarily deranged, but by no means all; suicide attempts do not suffice for a diagnosis of illness, but they invite scrutiny; most homicides are sane and do not by themselves justify even a suspicion of mental illness.)

Szasz would oppose the involuntary confinement of such persons, not only because he denies the existence of mental disease, but also because he feels that the disturbed person, like the sane, should be confined only for what he has done and not for what he may do. I don't share this view. In principle, disturbed persons may be confined *qua* disturbed, for the sake of their welfare, or that of the rest of us, since when they threaten to interfere with either, they cannot be said voluntarily, intentionally to do so; thus they are not responsible and cannot be punished *post facto*. But we are entitled, even obligated, to prevent what they cannot control. If we could know for certain what the psychotic will

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do, I—unlike Szasz—would not object to confinement to restrain the psychotic from acts that would be criminal if done by a sane person. But our ability to predict is much less than psychiatrists have pretended. Thus, there rarely is sufficient reason for preventive action. Szasz is often right in practice though for reasons other than those he gives: not because there is no mental disease as he thinks but because its presence does not usually permit us to predict behavior that, if it could be predicted, should lead to confinement. Still, mere incompetence, if it goes far enough, may require institutionalization: We would not leave a four-year-old to his own devices and we cannot do so for a person no more competent, whatever his age.

On the other hand, if a person has committed a criminal act, I do not really care whether he is found "not guilty by reason of insanity" and confined in a mental hospital, or guilty and confined to a prison. The mental hospital is not better for him, or the community, nor more curative. Hence we may just as well use the same processes and outcomes regardless of whether the person was disturbed—and not responsible therefore—or sane and responsible. In the case of psychotics we may not call what follows a guilty finding "punishment." But the important thing is that the same processes be used to ascertain the facts and to protect the

community whether or not the offender is "sane." (Recidivists also may be dealt with without distinguishing between sane and insane.) Thus, I agree with Szasz on the treatment of the insane who have committed crimes, but unlike Szasz I believe there is such a thing as mental illness, which Szasz believes is a labelling device; and unlike Szasz, I believe we must institutionalize those insane persons who are totally incompetent or dangerous to others.

Modern liberals feel uneasy with the notion of moral right and wrong, of moral norms (rules, laws). They have not been able to quite dispense with these notions—it is impossible to have a society without them—but, because of their uneasiness, they have disguised moral judgments which now take the form of pseudo-clinical diagnoses. Murderers (or criminals in general) are "sick." So are suicides. The evidence? Why, they do what I don't approve of. Szasz is right and meritorious in protesting the over-extension of the notion of disease—but he goes too far when he denies, by definition, the possibility of mental disease and the need, occasionally, for society to take decisions for those who are in no position themselves to take them. This need persists. Szasz has the merit to have drawn attention to abuses and confusions. But he has not persuaded me that mental disease is a hallucination—although I too wish the world were neater. □

Tom Bethell

Capitol Ideas

The holiday season found Washington largely emptied of its busybodies; the bureaucracies ticked along quietly with the high absentee rate customary at that time of year. No one back home noticed the difference. I have always thought that that is why federal employees are not allowed to strike. Some wise old heads at the Civil Service Commission, or some such place, put their wise old heads together and said to one another: If we were to strike, no one would be any the wiser, or any the poorer, while for others life might actually be greatly simplified; therefore, let us not go on strike.

By way of compensation, however, the wise old heads said to one another: We shall pay ourselves at an ample rate of remuneration, and—because we do not wish to be sullied with the contamination of "politics"—we shall make it very difficult for any of our number to be fired. So, in the fullness of time, these things came to pass.

You may not have known it, but federal pay is based on something called "comparability." Government specialists from the Bureau of Labor Statistics set forth across the land each year to find out how much money people are earning in the private sector. Armed with this data, they then return to Washington, and here they reliably find, year after year, that those laboring in the private sector are being paid more than those who work for the government. Federal pay is then increased to make up the difference.

Let us see how this works in greater detail (I am indebted here to Robert W. Hartman, an economist with the Brookings Institution, for these figures). In March 1977, a GS-5 clerical worker was paid \$10,677 annually. At that time the BLS investigators returned from the heartland and reported their findings: The salary for comparable jobs in the private sector was \$10,100. Hartman comments: "This finding—which a hard-nosed type might regard as an

excuse for a pay reduction—was transformed into a pay raise under what is called the government's comparability method."

How does this work? Hartman explains: "At GS-5, the private sector secretarial wage was combined with technical jobs paying \$11,770, administrative posts at \$12,346 and professional slots at \$13,439, to reach an average survey salary for GS-5 of \$10,736."

There you have a capitol idea in action. GS-5s are thus transformed from being overpaid to being underpaid. And so it goes through all the grades, involving mysterious techniques such as the "dual payline process," until it is finally concluded that an "across-the-board" pay increase is warranted, and it only remains for the president to sign it into law. This comes up every October. Presidents Nixon and Ford were sometimes a little tardy, stubborn, or unenthusiastic about signing, but when that happens such documents as the presidential income tax form 1040 are in grave danger of popping up on the front page of an important newspaper. So this year President Carter lost no time in signing on the dotted line just as soon as the dotted line was put under his nose, and now all federal workers are being paid 7.05 percent more than last year.

Beyond the threat of a seeping scandal, there are other reasons why the president, whoever he is, can more or less be relied upon to sign this pay raise into law. There is the danger that if federal workers are not paid more every year to keep up with inflation, they may sullenly decline, in the many ways open to them, to implement presidential programs. Also, there is the danger that they may vote Republican next time. There are 1.4 million federal white-collar workers, and it is a good bet that most of them vote Democratic. Anyway, as a result of the pay raise, the Washington area is now richer to the tune of \$700 million a year. The average federal white-collar salary in D.C. is now \$20,800. Sticks-dwellers, we give thee thanks.

The theory behind "comparability," of course, is that if people are not offered enough money to work for the government, they

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will turn to the private sector instead. Are there, then, rows of empty desks in Washington, and recruiting officers almost at the edge of despair as they wait for an applicant to walk through the door? No.

Let me quote from Mike Causey's "Federal Diary," a column for and about federal employees published in the *Washington Post*. "If you are trying to get a federal job right now," Causey writes, "the odds are 76 to one against you, and getting longer every day.... During the first six months of this year, 5,664,757 people—that is more than the total population of either Missouri or North Carolina—tried to get a government job. Only 31,000 of them made it." (Which is a little mystifying, because if those figures are correct, then there are not 76 but about 180 applicants for each job.)

Causey adds this detail: "Federal officials point out that the statistics—the 5.6 million inquiries—represent only people who got through. Nobody knows how many job hunters have been frustrated by long lines or seemingly forever busy telephone numbers, and have given up. They aren't counted in the statistics."

As an admirer of Causey's column, I was a little disappointed by the following disingenuous footnote: "Nobody knows for sure why there is this big, and growing, upsurge of interest in federal employment. The best guess is that it is a combination of things including good pay, regular automatic raises, fringe benefits and of course, the big item never mentioned in fringe benefits, job security in a very tough market." Capital, my dear Causey!

Quite often I am asked: What is it like to live in Washington? Two points, both related to the foregoing, come to mind. The first is that, contrary to what many may believe, Washington is a busy hive. The work ethic more than prevails, it threatens to overpower. I did not say that the work done was *useful* work, mind you. Rather, it is busy and ostentatious. One of the most striking ways of acquiring status in Washington is to make a show of working early and late. The breakfast meeting is the high-status meal in the capital. The reason is, I think, federal workers are paid highly enough to ensure that a good many of them wake up in the morning feeling guilty, which drives them to do *something* (when nothing might often be better).

The second feature of Washington that one cannot help noticing is that it is a peculiarly somber, serious town. Sometimes it seems that the people in town came here out of a sense of moral earnestness, high seriousness, and civic obligation. The gloomy reformers of government, joined in common cause against nationwide frivolity and profligacy, are here to see to it that the rest of us confess our sins in triplicate; the same tone pervades much of the local news media. It is hard to avoid concluding that many of today's editorial doomsayers would in former years have preached from pulpits.

One reason for all this gravity is to give the appearance of having "policy significance." If you work in the State Department or the Pentagon or, heaven help us, the Equal Employment Opportunity Commission, or in just about any agency, you cannot afford to be lighthearted or the tiniest bit frivolous if you want to get ahead. Try to imagine a SALT negotiator with a sense of humor! No, a serious demeanor is required in Washington. Without it, everyone will know that you lack "policy significance," and that means you are not really earning the high salary generously furnished by taxpayers. You are setting a bad example and will be frowned upon. Solemnity therefore prevails. It comes with the money.

As you can imagine, it is hard to find a funny story in this atmosphere, but one happily comes to hand. Already mentioned in this column, it concerns the federal employee who diverted nearly

\$900,000 of government money into his own bank account. Actually this marvelous story has a rather sad ending because William Sibert, the perpetrator of the crime, was sentenced to six years in jail for his larceny—quite a stiff sentence considering that armed robbers routinely get probation if they are first-offenders and therefore presumed not to know that it is wrong to threaten an innocent bystander with a loaded pistol. To some of our madcap judges such thugs demonstrate not their own criminality but the viciousness of the society in which they were raised. Poor old William Sibert did something far more reprehensible: He demonstrated the stupidity of government. Slam! Six years for him.

Some new details about the Sibert case came out in an article by Timothy S. Robinson in the "Metro" section of the *Washington Post*. Sibert, who incidentally was one of those \$10,000-a-year GS-5s, was working as a financial assistant in the Urban Mass Transit Administration. One day he simply made out a voucher for subway funds to himself. His supervisor signed it. (History does not relate what became of the supervisor.) Sibert then deposited the check (for \$55,916.47) in his own bank account and started to spend the money.

"Then I thought, 'Heck, if you're going to get caught doing it, do it right,'" Sibert told Robinson. "There's only one way—all out!" Within two months he had issued vouchers to himself totalling nearly \$900,000. He found that banks would cash U.S. Treasury checks in the tens of thousands of dollars with no questions asked. One day Sibert cashed a \$36,000 check and the bank was actually forced to close its doors for several hours while it waited for another money delivery. Here is Robinson's description of what Sibert did with the money:



...he spent nearly \$200,000 on at least 12 cars for friends and members of his family and took co-workers to lunches on the southwest waterfront where he would pick up \$500 tabs. He also bought a new \$60,000 house with a swimming pool and renovated it for \$30,000, outfitting it with \$10,000 worth of such items as closed circuit TV systems and pink-and-white shag carpeting. In addition, he said he bought a 30 foot houseboat, made gifts of \$3,000 or so to women who worked in his office—trinkets such as diamond rings, IBM and ITT stock purchased through his account at Merrill Lynch—and paid \$80,000 for a top-

less bar a block from FBI headquarters.

Sibert had a criminal record, having already been convicted of housebreaking (in which no property was taken) shortly after he finished high school. "I don't feel like I've done a crime against the government," Sibert said. "I don't think it's a living thing.... The government is not something that has a feeling." Sibert remarked that the government was "inept" to have put so much trust in him—a convict—in its handling of billions of dollars, and "stupid" in the way it has attempted to recover property he bought with the funds. He said a lawyer told him that recipients of presents could not be forced to return them after his arrest. But he said that most of them had been "scared" into returning such gifts nevertheless.

It is instructive to note that Sibert was caught not because the money was missed by UMTA, but because his bank eventually became suspicious about his very high "cash flow" and alerted the U.S. Treasury. Sibert was eventually arrested at the end of a flight from Washington to Las Vegas. Robinson wrote in the *Post*—and it is hard to improve on this—that as Sibert checked his baggage he "thought he saw several neatly dressed men watching him closely. At O'Hare airport, as he was getting his flight to Las Vegas, Nev., he realized there were too many men wearing TWA jackets for a routine flight. Later, during the flight, he told his seven guests in the first-class section to order a final round of drinks. The caper was up."

Sibert has brought a few uneasy, fleeting smiles to a few faces in Washington, which is more than most government workers achieve. Tonight I shall drink to his health. □

Under the Condor—Part Two

“The only criterion we’ll be using in the selection of material for the magazine is that it be interesting. Think pieces, short stories containing description, feature articles, a table of contents—all will be used so long as they meet that standard. We’d even run a horoscope or a stock listing should it be interestingly done. My job will be to edit the magazine in a fascinating way and contribute an occasional editorial on subjects of interest.”

That was the editorial credo of COTTON MATHER’S *Magazine for the Arts at Harvard* as explained by Ben Pasquali, its founding editor, to Jane Repton in the same small Quincy House living room that would have been a death chamber had she gone through with the suicide she had attempted, or at least seriously contemplated, two days before. Jane was staring blankly out the chamber window.

Autumn had begun in late September that year. It was now the second Monday in October, or Columbus Day Observance, a holiday marked by an absence of classes and the Cambridge City Council’s restyling Harvard Square as “Christopher Columbus Plaza.”

Autumn is also the season when everything begins to die inside, and Jane thought there was something comforting in that—at least for someone who’s been to the depths of depression and come only part way back. She remembered the story of the young French poet who made a lobster his companion, explaining “he’s seen the depths.” From what Jane had seen, the depths were not so memorable a place. In fact, all she—and probably all the lobster—could have said was, simply, that it was cold and dark down there.

Watching Jane as she gazed out the window, Ben sensed that she was not giving him her full attention. “I had better be moving on,” he said. “I know that I am not very interesting—nor do I intend to be. All the impulses which might make me interesting as an individual I am saving for my magazine work instead.”

“I’m sorry, Ben,” Jane said. “My mind was wandering. A story I’d heard a long time ago just came back to me—about a young French poet who hanged himself at the age of only 25.”

“When a young creative person ends his life prematurely,” Ben said, “it is always sad. But, unfortunately, this happens often. Behind all creativity, as a kind of driving force, is a tremendous feeling of unease. When this sense of uneasiness is not channeled into artistic endeavors, or is left uncontrolled, it can have an enormously destructive effect on a person’s life, leading finally to alcoholism or madness. However, when this sense of uneasiness doesn’t just run loose but turns inward, the result is an overwhelming feeling of despair, with suicide often the final outcome.

“What I personally worry about is not that my own uneasiness will get out of control, but that it is not great enough for me to be sure of coming up with the unending stream of interesting notions needed to successfully edit and write for a magazine like COTTON MATHER’S.”

After Ben had gone, Jane was left alone with herself. For some minutes she considered his theory of uneasiness and suicide. Ben’s perspective, she decided, was logical and analytical—and,

in those terms, correct. Her own perspective was intuitive and impressionistic, and so—according to those terms—also valid. On Saturday night, less than two days before, under the influence of the highly personal, deeply emotional poetry of Sylvia Plath and Anne Sexton, Jane herself had nearly committed suicide. Until then she too had thought of herself as a poet and a creative person. But there was, she now realized, something dangerous in that. It had made her feel too “special,” too far removed from ordinary life, as if she were operating on the very edge of existence, with an abyss below. Like the legendary wings of Icarus, artistic perception could carry the creative person so high, so close to the sun, that a corresponding and perhaps fatal plunge seemed almost inevitable.

Now Jane preferred to see herself simply as a survivor. On Saturday night and, even more, on Sunday morning, Jane had resolved that life was the most important thing to her. She would have to give up poetry, at least until she knew better how to control it. For the present what she must do was survive—to get through one day, and then the next, and then the one after that, and so on. Already Sunday and more than half of Columbus Day Observance were behind her. It was nearly five, and before the stores closed she wanted to buy a calendar on which to mark off each day as she got through it—a kind of survival diary.

From Quincy House she walked up to Massachusetts Avenue—or “Mass. Ave.”—across Christopher Columbus Plaza to Brattle Street. The Cambridge sidewalks were clogged with shoppers from the outlying Bay area towns. Jane could not help wondering how these people could tolerate their drab, meaningless lives. She did not really even like streets—perhaps because she always associated them with pedestrians—but that was not what was important: What mattered was that she simply get through them.

It was difficult to find current calendars in October. She finally came across some in a shop opposite the Brattle Theater. They were priced at 30 cents, or ten cents for each month remaining. But she felt that the expense was justified if the calendar helped her maintain her emotional stability.

As she walked back towards her room, Jane regretted the critical thoughts she had had earlier about pedestrians. Walking, she suspected, stimulated these kinds of thoughts, or at least freed her mind to rush off in every direction, invariably ending in some negative thought. For the sake of her own emotional balance Jane had given up poetry, but the imagination was still there.

Turning into the courtyard of Quincy House she saw a tall young man in starched white cotton jacket and trousers sitting on the stoop to her entryway—either a medical doctor or a restaurant employee. Jane hesitated to make a distinction of this kind. It came too close to the snobbishness of her earlier thoughts about the out-of-towners. She instead chose to tolerate the ambiguity. A writer—Fitzgerald, she thought—once said that the ability to hold two contradictory ideas in the mind at the same time was the mark of a fine intellect. Jane held the two possibilities—doctor or restaurant employee—in her consciousness, and let them dangle there. This potentially negative line of reasoning came to a stop when she realized that the tall young man reclining informally on her entryway steps and the handsome skipper who had courted her during the Regatta in Edgartown were one in the same.

Whit Stillman graduated from Harvard in 1973.

Jim Van Blanck had taken a break from his summer medical work that July to compete in the Vineyard races. He was on the eve of the third year of a long medical program which, if successfully completed, would make him a psychiatrist, and one with a particularly strong background in neurology and biochemistry. Jim was one of the new kind of therapists who did not limit their methods to one doctrine or even one discipline, but sought instead to use what was most valuable in each—in short, whatever worked.

He had confided his plans to Jane as they walked back from the Regatta Ball, his overlong arm wrapped around her. The emotion Jane had felt then resembled infatuation, but was really a kind of idealistic love. Now, as Jim got up from the steps and walked towards her, she felt a brief shiver of fear. A thin gloss of perspiration, or dew, formed on her skin.

"It's been eight weeks, Janie. That's nearly two months."

"Yes, it's been quite a while. Time's a strange thing, Jim. It can't be seen, yet it's there. But once it's passed there's no way to bring it back again."

Hearing this Jim looked at her closely, but saw only a friendly, open expression on Jane's pretty, shaped face.

"I haven't called you in the past weeks because I didn't want to do anything which might jeopardize our relationship. I can understand how you might have felt we'd been out of touch, but actually I don't think I've ever felt as close to anyone as to you during this time."

"When I was young I developed a habit of directing all my thinking towards one person, and of conducting with them a sort of conversation inside my head, with me doing all the talking. At first it was Mom with whom I'd talk this way, and then mostly God. Afterwards came a whole series of home-room teachers, favorite authors, imaginary interviewers, and professional models like Freud and Erikson. But for the past two months it's been you."

"Maybe I'm way off base and you don't care for me at all, but I still don't regret these weeks, because they will always be there, whatever you feel. My memories are something which no one can take away from me."

Jim paused a moment. "I'm sorry," he said. "I feel that I've both said too much and yet not really expressed what I meant at all."

"I think I know what you are saying," said Jane, "and I feel the same way myself. I've always had a tremendous difficulty in expressing myself. In fact, I think it was because of my inability in prose conversation that I originally turned to poetry."

At this point Jim interrupted. "I want to hear what you have to say about poetry, but let's go someplace where we can sit down."

By way of a shady, countrified path between Lowell House and a small parking area for motorcycles, Jim led Jane to the garden of the Cat Club, which in local slang was also called the "Cat Frat" or the "Cathouse." The Cat was one of Harvard's undergraduate fraternities, or "Final Clubs"—a term, Jim told Jane, derived from the late nineteenth century to distinguish them from "Waiting Clubs," whose members were said to be "waiting" to be invited to join a Final Club. The Cathouse had severed its connections with its national fraternity and "gone final" in the 1890s. "To me," Jim said, "the Cat is the most beautiful place in Cambridge—except for the stacks at Widener, but that's different." Jim's feeling was, Jane thought, another aspect of his idealism—in this case a love of the past as represented by the Final Clubs.

When Jane entered the Cat Club garden she was struck by its deeply green quality—all lawn, trees, and ivy. Jim went inside the clubhouse to get Jane a gingerale and himself a beer. An inexhaustible supply of ice, alcohol, and soda always seemed to be

flowing from the Cathouse, and to Jane there was something especially masculine in that.

She and Jim finally settled with their drinks at a round, white iron table in the middle of the deserted garden. For a moment Jane watched the tiny bubbles which formed at the bottom of her glass and then quickly floated to the top. They seemed to come out of nowhere, like the sudden insights creative artists get while working on a project.

"I'm not sure," she said, "if I'll be able to explain exactly what I mean, because the poetic form, which I used to rely on, is no longer open to me, but I'll have to try. While you are listening, though, please keep in mind that the narrative form of expression is not the one I'm used to."

"Two days ago, on Saturday night, I nearly committed suicide. What specifically brought me to that point I couldn't say, perhaps because there was no specific factor but a combination of them. However, the major factor was almost certainly my poetry work which always seemed to be going either well or badly. When it was going badly I would sometimes sit for hours without being able to write a line—an awful blankness faced me from the notebook lying open on my lap. I would become desperate to write anything at all, even something of less than the highest quality. Then the feeling would be even worse—the sickening realization that I had com-

promised my artistic standards, which were the only things which made writing worthwhile in the first place. I could, of course, cross out the offending lines, but then an awful blotted area would confront me from the notebook lying open on my lap.

"When the writing was going well the effect was even worse again, because it gave me the sense of being 'special'—the feeling that I was different from other people, and maybe even better. In America there is a cult of genius which says that just because a person shows brilliance in a part of her work, then she herself is somehow godlike. This will sound crazy now, but two weeks ago when I was on a productive streak and had a poetry 'high,' I felt tremendously hurt when my roommate Lisa did not save the telephone messages I had been taking

for her. I had put a lot of thought into those messages and was upset that she did not take them more seriously."

"When the writing was going well I would also get a terrible feeling of guilt, which was completely irrational. Perhaps deep down I just didn't feel I deserved the enormous success I was having—that without the usual agony of creation and unsuccessful first drafts I somehow hadn't 'paid the price.' According to one theory—I think Freud's—the real source of my guilt feelings would go deeper than that: My writing poetry would be an attempt to attract my father's attention and in some way 'replace' my mother in his affections."

"The Electra Complex."

"Yes. So long as I was unable to write a word this was no problem, but when my writing was going well I must have unconsciously feared that I was going to succeed in that other thing, too."

"Of course, what finally prompted me to consider an irrational act could have been something much less profound. I can't stop thinking that the whole thing might have had something to do with the fact that my hair was dirty. For some reason I hadn't felt my hair needed washing Saturday morning, and by that night it felt awful. Nothing depresses me more than that feeling of uncleanness. I wonder if my not washing my hair Saturday wasn't an unconscious way for me to punish myself for trying to write well, and all that that implies psychologically."

For a few moments after Jane said this Jim looked at her without saying a word. "I had no idea you'd been through all this," he said at last, obviously moved.



Jane had turned her head away and, while trying to collect her emotions, watched through the garden hedge the shadowy forms of several cars as they rushed down Mt. Auburn Street. What Jim had said was true.

"When we were talking in Quincy House," she began, "you said you hadn't gotten in touch with me before because you did not want to do anything which might jeopardize our relationship. Something serious must have happened to make you feel that you should see me again so soon."

"You're right," Jim said, but seemed to hesitate before continuing. "Something serious and very sad did happen. A beautiful girl whom I met while working at a clinic a year ago just died without any warning. She—" For a moment Jim broke off and looked toward the motorcycle parking area. Then he continued. "That she's now dead says something horrible about beauty—that maybe the beautiful really are the damned. Look around at this garden; to me it seems extraordinarily beautiful—"

"It is beautiful," Jane said.

"—yet it stinks with death. Sometimes late at night when I sit here alone with a cocktail the ghostly faces come back to me. Three years ago they were all here in the daytime sun. One was a slim girl with blonde streaks in her hair who regularly vacationed in the Mediterranean and was writing for national magazines even before she graduated. Last Easter her lifeless body was found in a Galápagos Islands hotel room after an apparently accidental mixing of a small quantity of barbituates with alcohol. She and the others are all dead now—their lives smashed against existence like glasses at a fraternity party. Living well seems to carry with it its own revenge—as if at the core of beauty were something fatal to those who have it. When I think of all the beautiful and talented people who have risked their lives and lost, I have a tremendous urge to shout out, 'Thank God I have a big nose!'"

For a quarter of a minute there was a silence in the Cat Club garden, and then Jane said, "I don't think your nose is big. Rather, it's distinguished. You have a Roman, or aristocratic, nose."

"Thank you. I know that in minimizing the size of my nose you intend a compliment but please remember that, in this case, it comes across as a kind of death warrant to me."

"Somehow talking about all this has made me feel hungry. We usually have some ham and cheese in the kitchen inside—could I get you a sandwich?"

"Thanks. I'd love one."

"How would you like it?"

"Cheese on top, if that's okay."

Jim disappeared into the clubhouse and came back shortly with two sandwiches and another round of beverages. Before passing Jane her plate Jim checked her sandwich again. "Oh, sorry," he said, and, taking two napkins, gingerly flipped over the halves of her sandwich. "There. All set."

Far into the evening they sat in the garden talking about all kinds of things. They talked about how sometimes late at night instead of sleeping they just lay in their beds thinking about the past; about how they loved sitting before warm fires on cold winter nights—talking with friends or just reading novels written long ago; they talked, above all, about how they wanted to be able to dedicate themselves passionately to their careers, although for the moment Jane didn't know what hers would be.

While Jane spoke Jim let himself gaze deeply into her face: It was lovely, and for a moment that made him shudder inside—to Jim loveliness spoke of death. He preferred to close his eyes and just listen to her voice. It had the vibrancy of Park Avenue in the upper 70s, but also the soft undertones of the language her

mother had learned under the shady porches of her native Mobile.

Later, Jim escorted Jane back to Quincy House. Alone in her room, Jane continued where she had left off that afternoon, slipping the flat calendar out of its bag and hanging it, open to October, on an ancient painted-over nail protruding from the wall over her desk. Taking a pen, she carefully drew a diagonal line through the box with the words "Columbus Day Observance" printed in small capitals. "Another day," she thought, "survived."

Turning away Jane suddenly trembled as a stab of fear passed through her body. When one person feels affection for another person, that person is playing with fire.

Shortly after Jane woke up on Tuesday morning her roommate Lisa stepped into the bedroom.

"Before going to class I wanted to mention how much I appreciate the telephone messages you have been taking for me. I've never seen any messages prepared with such care and sensitivity before."

As the week went on many impressions struck Jane, often while she was walking: the reddish hues of the sun's rays towards the end of the day; the sound of cars rushing along wet pavement; the memories old songs evoke; the smell of burning autumn leaves, and the sense of this smell's absence in Massachusetts cities; the dark tracks of rushing cars on the shiny surface of wet pavement; the bittersweet mood evoked by old songs playing on the radio; droplets of rain on a window glass—the little streams forming from them; the song, "Gotta Hold On To This Feeling," by Jr. Walker & The All Stars; the reddish hues of wet pavement towards the end of the day.

Across the river at Commonwealth Union Hospital, Jim Van Blanck, unable to take any time off from his demanding hospital and medical school regimen, kept a steady stream of calls and correspondence flowing in Jane's direction. There were hurried calls on pay telephones and notes scribbled on the backs of postcards or

written on odd scraps of paper and stuffed into the window-box hospital envelopes. In one he had inserted a paper napkin with these descriptive lines scratched on it: "Through the windows on the south side of Neurology I can see the hospital's small garden below. In the morning the rooms in this ward are brightened by slanting rays of sunlight, which, early in the day, seem to have a yellowish hue. The corridors here have a hospital smell."

On the back of a postcard picturing sprawling Com Union in color with its parking area filled with 1950s cars, he wrote: "Regatta weekend when I wrapped my arms around you and said that I felt you were wonderful, I can't recall whether you replied that you felt 'the same way,' or whether from your silence I just assumed that you did. Again and again I have played the scene over in my mind but, while my memory of the emotion I felt then is still overwhelming, I can't exactly remember every detail of what happened, and I feel that it's tremendously important that I try to. *Qu'est qui c'est passe à la neige de printemps perdu?!*"

Jim would only begin his cards and notes to Jane when he had a few free minutes. But sometimes it wasn't possible to wrap them up in such a brief amount of time, and so he would allow himself a few extra minutes off. Obviously, his work sometimes suffered. As if to compensate he dedicated himself even more passionately to his career.

Finally, at the end of the week, Jim learned his schedule for the rest of the month, and from a pay phone off the hospital cafeteria he called Jane to ask whether she might have dinner with him on his evening off. After the call Jane walked over to the calendar,



and in the box for the following Tuesday, she wrote, "Jim—Dinner."

Tuesday fell on the second day of that week. Late in the afternoon the sun put on a gaudy show—its reddish-hued light illuminating the old colonial college buildings. But Jim arrived too late to see it.

In the darkness he and Jane walked to Frederico's. There they had the full meal—cocktails, four courses, two wines—all capped off with cups of caffeinated coffee.

"Last week," Jane said while they lingered over their coffee, "you started telling me about a former patient of yours who died, but then you stopped."

"You saw how upset I was," Jim said. "I've thought a lot about it since then. Her name was Ceci—I first got to know her the summer before last when I was a counselor at the Com Union anorexia clinic. She then looked like a long-sleeved shirt and a pair of dungarees hanging on a skeleton. But her recovery was rapid and amazingly complete—last year everything seemed to be going wonderfully for her. Personally she was pretty, bright, kind, and seemed to have everything—money, looks, married parents, a small stature. This fall she was starting her senior year at Dana Hall." Jim paused. "Are you familiar with the phrase '*ennui écrasant*'?"

"Yes, from advance placement French—Baudelaire and the Symbolists."

"That was something else about Ceci—she was brilliant at languages. Even at the clinic it was always '*merci*' for thank you, '*bon soir*' in the evening, and '*garçon*' or '*cheri*' when addressing me. Naturally, she was put in advance placement French. It was there she was assigned to read Baudelaire and taught about '*ennui écrasant*'."

"That Ceci is not alive today I hold the designers of the advance placement program in French directly responsible. What are they thinking of—assigning high school seniors to study the concept of 'overwhelming boredom'? Graham Greene has written about how as an adolescent he would stick a revolver in his ear and pull the trigger—anything to relieve the tedium. Several times he played

Russian roulette and won, but after a while even that got boring. Greene survived and later wrote a series of novels and 'entertainments.' For Ceci, though, there was no second chance—60 Second capsules don't miss...When I look back upon my own life I can't help thinking, 'Thank God I got a C in French fifth form year!'"

It was past eleven when the couple stepped out of the restaurant and started walking back to Quincy House by the long route—along the river. There is something not entirely realistic in love. It has instead a quality reminiscent of July nights by the ocean or old songs playing on the radio.

The Charles River is in some ways like the ocean, only much calmer. A little way past the Weld Boathouse they sat down together on a bench facing the water. Feeling the night air, Jane pulled her cardigan sweater more tightly around herself and under her on the bench tucked her pale, slender legs, which were five years younger than his own.

Gently Jim took Jane in his arms. "You are very beautiful," he told her, "and that scares me."

* * * * *

Later, alone in her room, Jane walked over to the wall calendar, and under the words "Jim—Dinner" wrote in a print so small it was legible only to herself: "Frederico's, later walk by river. The moon's light has a bluish hue."

Then Jane turned to look out the window. The words her upper level expository writing teacher had said at the end of the semester came back to her: "How is one a writer? Just by writing." Without really thinking about it Jane had all along been writing words—on her messages to Lisa, in the boxes of her calendar, in other places. Poetry she had given up, at least for the time being, but prose, with its rigorous discipline of sentence and paragraph, was an avenue for self-exploration and self-expression still open to her.

Before preparing for the night Jane returned to the calendar and carefully drew a diagonal line through the box for Tuesday. "Eight days," she thought, "survived." Then, she trembled. □

—TO BE CONTINUED NEXT ISSUE—

Joseph P. McGrath

The Cain Scrutiny

None dare call it reaction, but many otherwise sensible people have allowed themselves to be stampeded into an unreasoned acceptance of the Warren Report in response to the wild and paranoid charges of the professional conspiracy-mongers.

But are there realistic grounds for viewing the findings of the Warren Commission with suspicion? Probably, yes. Though no one will claim that the investigation was cursory, we tend to forget the massive pressure exerted on the commissioners by the circumstance of a shocked and bewildered nation, in deep mourning, awaiting some "official finding" with which to punctuate its grief. Although such pressure may now seem an abstraction, it was then a palpable presence. It was this factor, moreover, which prompted LBJ to pressure the Chief Justice into releasing the Oswald-as-lone-madman verdict before the final report; and this despite Johnson's own suspicion that Castroite Cubans were involved in the assassination. Under such conditions, to accept the Warren Report at face value is like endorsing the Bayeux Tapestry as a

flawless documentary record of the year 1066. The current reevaluation of the evidence now being conducted by the House Special Committee on Assassinations will, it is hoped, illuminate the case afresh and, finally, provide a clear, unbiased judgment which will attract a consensus. No such consensus exists regarding the Warren Report today. And since the events in Dallas are considered by many a watershed in American political history, to ignore sincere pleas to reopen the investigation may prove highly corrosive to the social fabric.

The importance of thoroughly investigating assassinations central to our cultural self-image could hardly be better illustrated than it is in a forthcoming book. *Did Cain Act Alone?*, by Mark Cooper, drives the point home with jarring clarity, and while the book's message is widely resonant, it has immediate significance for the House Special Committee on Assassinations. Mr. Cooper, currently Laing Professor of Alternative Reality at Bowdoin College, has done a rare thing: He has pivoted all the mirrors so perfectly that we are confronted with ourselves. *Did Cain Act Alone?*—a chilling question, a haunting book.

Joseph P. McGrath writes from New York City.

The technical problems inherent in such a study do not seem to have fazed Mr. Cooper one bit. The raw materials at his disposal were almost unbelievably restricted. The primary source, Chapter IV of Genesis, is considered by many to be an eyewitness account, but there is little independent evidence to corroborate this. One may wince a bit at Mr. Cooper's dubbing this document the "Genesis Report," a melodramatic conceit doubtless suggested by his publisher. But after reading the book through, one is hard put to deny his conclusion that the well-known biblical narrative is "a whitewash from the word go."

Professor Cooper's first objection arises from what he sees as a basic conflict between the role of the Lord as both narrator and "Prime Mover in the incident." Why has this aspect of the story been ignored by generation after generation of commentators? Cooper concludes that the "official version provided a convenient myth," and he strongly implies that simple "fear of the Lord" led to a rubber-stamping of the report. He adds that "to this day the official version is widely distributed, with virtually every bookstore and several university libraries boasting copies." Professor Cooper has, indeed, taken on a Goliath.

Every schoolboy is familiar with the story. After Adam and Eve were evicted from the Garden they had a couple of kids: Cain, who became a farmer; and Abel, a shepherd by trade. Professor Cooper then recounts how "at some ill-defined point in time" they each offered a sacrifice to the Lord. Abel, the herdsman, offered the "firstlings of the flock," while Cain made a "cereal" offering.* Cain's sacrifice was disdained by the Lord, which reportedly infuriated the young farmer. The narrative goes on to record that the Lord noticed Cain's displeasure and said to him, "Why are you angry? Sin is couching at the door; its desire is for you, but you must master it." Cooper admits that "to the rambunctious Cain, such Holier-Than-Thou sentiments must surely have rankled." But he denies the implication of the narrator that this scolding, even coupled with the presumed resentment engendered by Abel's besting him in the sacrifice contest, provided a motive for the subsequent murder of Abel. Cooper makes the additional point that, "Although the Lord did apparently pass up Cain's offering, He merely 'had regard' for Abel's." Says Cooper, "this is hardly a 3-Star rating in the Guide Michelin—or a spur to fratricide."

The narrative proceeds. Cain allegedly invites his brother "out to the field" where he kills him. Cooper again: "Who overheard this invitation? Where was the field located? What weapon was used? You will search the Genesis Report in vain for answers to these questions." Cooper is correct; the biblical narrative is almost totally devoid of significant evidentiary detail. It is content to tell its little story, and about here the plot thickens considerably.

The Lord confronts Cain: "Where is Abel your brother?" He asks. "Am I my brother's keeper?" is the familiar riposte. Professor Cooper finds Cain's response suspicious and doubts that "Cain would have chosen such a time to crack wise. He did, after all, have the example of his parents who had abundant evidence of His temper." Cooper is convinced that the exchange "just does not ring true" and suggests that Cain may have been "putting up a front for the benefit of passersby" or that the conversation was simply manufactured out of whole cloth later on.

There is next recounted a long harangue by the Lord directed against Cain at the conclusion of which the Lord banishes Cain to wander in the Land of Nod, East of Eden. "What are we to make of this 'punishment,'" asks Cooper, "especially at a time when the slogan 'an eye for an eye and a tooth for a tooth' quite accurately

* Critics of Mr. Cooper's thesis will be quick to seize upon his assertion here—that the "Lord would naturally steer clear of a sacrifice of cereal, which has been found to have almost no nutritional value"—as an anachronistic irrelevancy.

set forth the prevailing judicial ethic?" Indeed, when Cain responds to this "suspended sentence" with the statement "My punishment is greater than I can bear," we find ourselves saying with Cooper, "the lad doth protest too much."

The above is a sampling of the many anomalies and contradictions which characterize the Genesis Report. Of necessity, many of Professor Cooper's own interpretations are highly speculative. (Who knows, for example, whether "Cain" [from the Hebrew "Kayin," or "Smith"] was an assumed name, as Cooper suggests?) But Cooper is certainly on the track when he asks about the "Land of Nod, East of Eden" wherein Cain was condemned to wander and which, according to Mackenzie's Dictionary of the Bible, "has no known geographical location." And what are we to make of clues later in the Genesis Report which name a certain Cain as "Founder" of Enoch, the first city? With what resources (with *Whose* funds?) did the destitute Cain finance this real-estate venture? Although each of these leads is more or less intriguing, none of them, nor the aggregate, carries weight enough to refute the explanations of the "official version." But there is more.

After Cain complains about his punishment there is recounted the most disturbing exchange in the Genesis Report. Cooper is right to call it the "smoking gun"; it cannot be explained away, and all the separate bits of evidence seem instantly to coalesce around it.

In response to Cain's remonstrances, the Lord says, "If anyone slays Cain, vengeance shall be taken upon them tenfold." Then "the Lord put a mark on Cain, lest anyone who came upon him should kill him." Professor Cooper: "Eureka! The Lord lets the word go out that whoever trifles with Cain will have to answer to Him. The Genesis Report simply records this devastating statement without batting an eye. Even the dispassionate scholar pores over the passage time after time, giving the benefit of every doubt, trying to rationalize, desperate despite oneself to come up with an explanation that does not point to a conspiracy of a kind which is unspeakable. One fails."

This is the stuff of basic cultural reformation—if it could be proved. Someone once remarked that the last organism to discover water will almost certainly be the fish; a similar myopia afflicts us culturally and it is doubtful that even so illuminating an analysis as this will prove capable of penetrating the gauze of centuries of "tradition." Cooper makes a valiant try; his last chapter attacks this problem head on. Ingeniously, he invokes Scripture (the chapter is entitled "What is Truth") to buttress his arguments against blind acceptance of the Genesis Report. But in the end it is difficult to imagine Cooper's thin volume making a dent in the myth. The official version has congealed in the popular imagination and it is destined to remain there.

Does this mean that Cooper's book is irrelevant? No. Its message is a warning beacon to all of us and it could not be more timely. Every member of the House Special Committee on Assassinations should read it, study it, and absorb its lessons. The Warren Report must not be "rubber-stamped," as was the Genesis Report, out of cowardice or a misguided sense of loyalty to institutions. The past is prelude and the Warren Report, like the Genesis Report before it, is essentially a work of contemporary history. To accept it blindly is to ignore the sage advice of the profoundest practitioner of the art in this century: "The most important tool of the contemporary historian," wrote Michel Simeon-Brauh in 1953, "is a large supply of erasable paper." If *Did Cain Act Alone?* startles some members of the House Special Committee on Assassinations into a remembrance of this lapidary prescript it will have rendered a service of inestimable value. □

Coming Next Issue:

Joseph W. Bishop, Jr.
Wm. Sloane Coffin Remembers

Vic Gold
Roone Arledge's Small-Screen Monster

Robert A. Scalapino
Why We Should Stand By Taiwan

John P. Sisk
Sex and Love in the "New Age"

San Clemente—Not Even a Nice Place to Visit?

Vulgarity has always fascinated me. It's an easy interest to indulge—there's always so much of it around. But, occasionally, one wearies of the Washington variety, so abundant and so predictable, and strikes out in search of a fresh vein of the stuff. Which was one reason why I agreed to spend a month in San Clemente, the pastiest jewel in Southern California's tawdry diadem. The result was thirty days of outward seriousness and inward grinning, and a now unshakeable conviction that there *must* be life in outer space—and that it's probably less bizarre than what I saw in Southern California.

Admittedly, I did not visit San Clemente merely to write about it. I had been called there by a combination of business and duty. An old employer of mine—an eclipsed former public servant now working on his memoirs—had asked me to lend an editorial hand on some of the earlier pages of his *opus*. But that is another story; the important thing is that, regardless of the reason, fate drew me to San Clemente and Southern California for several weeks in December of 1976 and January of 1977...and I have lived to tell the tale.

Everything they say about Southern California is true. Weirdness, an old screenwriter friend had told me, is the most natural thing in that part of the world and, on the first few days of my visit, the regional kinkiness was in full flower.

Item: On December 6th, a gun-wielding Afro-American loon in a three-piece suit forced a janitorial hostage onto the roof of a downtown Los Angeles office building to "deliver an anti-smoking message to the world." I immediately hid my cigars and went out in search of a bulletproof vest.

Item: On December 7th, a particularly shabby, phony-looking dummy at the "Long Beach Funhouse" was discovered to be a real corpse when one of its rotting hands fell off, revealing human bones rather than wire armatures beneath—the mummified remains of a small-time Midwestern train robber who, like so many

others before him, finally found fame, if not fortune, in California.

Item: On December 8th, in nearby Ontario, Pomona, and Lancaster, authorities started digging up enough concealed arms and munitions to reenact the Mexican Revolution—hoarded by a deceased fundamentalist clergyman who apparently intended to be armed to the teeth when, to the sounding of the last trumpet, the real war to end all wars kicked off.

Item: On the same day, perhaps reacting to all the bizarre happenings, the porpoises began swimming north. For a moment, I considered hitching a ride with them.

But it was not to be. Already, Southern California—and the city of San Clemente—had begun to weave their strange spell, Circe-like, on yet another East Coast swine. It was the warm little touches that meant the most to me—the blast of rock music issuing from the open door of a funeral parlor on San Clemente's main drag; onion soup the color and consistency of phlegm and re-

cycled port served up at a local "gourmet" restaurant; the unpotability of the area's tapwater; the lack of sidewalks so neatly complementary to the number of drunk-driving Marines careening back and forth between San Clemente and a neighboring base; the acne epidemic, no doubt fostered by consumption of large quantities of greasy "fast food," that seemed to have ravaged the usually sleek complexions of the town's numerous, nubile Mexican maidens.

Actually, it wasn't all that bad. The soft pull of the desert breeze and the steady shimmer of the Pacific are not to be discounted, even by one who ordinarily feels more at home east of the Potomac than west of the Mississippi. And, in some respects, discovering a little seaside town like San Clemente was like stumbling on an updated, animated, and oddly captivating Norman Rockwell exhibition in the heart of the French Riviera. Smiling little old ladies with blue hair lounged under exotic palms;

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Aram Bakshian, Jr.'s essays and criticism appear frequently in *The American Spectator*, *National Review*, *the Wall Street Journal*, *History Today*, and other American and European periodicals.

relaxed families window-shopped along a main street that, aside from the sunshine and the plastic, was a mirror image of the idealized Middle America that everyone dreams about but that seldom, if ever, existed.

A cardboard Santa Claus, complete with sleigh and reindeer, baked impassively in the sun atop the San Clemente Inn, gazing calmly toward the desert as if anticipating the arrival of a good Christmas snow flurry; and the unabashed openness and friendliness of the people of all ages,

colors, and conditions paid tribute to a voluntary melting pot that seemed to work without giving off as many toxic social side effects as older communities in the East. Even the cab drivers (with the exception of one would-be political messiah who wanted California, under his leadership, to secede from the Union) seemed to be at peace with themselves and the world—and they are the ultimate stress barometer of any community.

Was it all just a little too good to be true, or am I still suffering from residual

deposits of Eastern jaundice? I'll probably never be sure, but I do know that, as I packed my bags to return East, a definite sense of relief swept over me. A little bit of sunny paradise is all right, I suppose. But perpetual summer palls fast; never was I more happy to return to the cold, sobering slush of winter Washington.

For me, at least, there are no such things as deep roots on enchanted isles. And Disneyland, even more than New York, is a nice place to visit—but I definitely wouldn't want to live there. □

THE GREAT AMERICAN SALOON SERIES

by
Douglas Bartholomew



The Legacy of Old John and Mother Fresh-Roasted

Women are not so much interested in actually drinking here as having the right to do so if they wish. After all, this is an ale house and it takes a certain amount of stamina to down pints all evening long.

—Daniel O'Connell Kirwan
Present Owner

McSorley's Old Ale House, Lower Manhattan

The first female to enjoy the illicit and theretofore unfeminine pleasure of quaffing an ale at McSorley's Old Ale House, Manhattan's oldest tavern, was not, as many believe, a skirted member of Betty Friedan's National Organization for Women. True, it was on the heels of a much-publicized court battle that NOW successfully forced the admission of women to the pub in 1970. But in fact, the first woman ever to drink at McSorley's was a guest willingly admitted to the tavern by the founding owner himself.

She was Mother Fresh-Roasted, a babbling old peanut-peddler who went from saloon to saloon on the Lower East Side hawking her wares direct from her apron, and who claimed her husband had died from the bite of a lizard in Cuba during the Spanish-American War. Old John McSorley cherished her friendship and regularly served her an ale on hot days. Likewise, her admiration for him was unbounded; she embroidered a miniature

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American flag and gave it to him one Fourth of July as a memento of their friendship. He had it framed and hung on the wall above his brass-bound ale tap, and there it remains to this day, a reminder of Mother Fresh-Roasted's special place in the 123-year history of McSorley's.

Other women who chanced inside the bar received a different treatment from Old John, whose motto was "Good ale, raw onions and no ladies," the latter a condition, he believed, of peaceful, satisfyingly uninterrupted drinking. He would rush forward to head them off and say, "Madam, I'm sorry, but we don't serve ladies." If she persisted, he took her gently by the arm and led her off the premises with the admonishment, "Make haste, or I'll be obliged to forget you're a lady."

A writer once described Old John as a "rather puritanical man," a teetotaler who insisted that "ale was strong enough spirits for any man." As for women, well, suffice it to say that for Old John, who took his drinking seriously, they were already sufficiently spirited.

Old John's taboo was broken on another occasion as well. On a winter night in 1924, a feminist from Greenwich Village donned trousers, a man's topcoat, and a cap, propped a cigar midlips, and strode confidently into McSorley's. She ordered an ale, drank it, and thereupon doffed her cap, letting her long brown locks fall down about her shoulders. Then she called the

son of Old John, Bill McSorley, a chauvinist, proclaimed the equality of the sexes, and ran out. When Bill realized the utter gravity of what he'd done—he'd sold a drink to a woman—he let out a moan and a howl and began jumping up and down as if he'd been struck a blow with a shillelagh. "She was a woman!" he bellowed. "She was a goddamn woman!"

Needless to say, not even the ghost of Old John could hold back the forces of equality forever. Forty-six years after his son had been duped by the male-garbed feminist, the first brigade of dressed, skirted, pantsuited, and culottted patrons, representing the Syracuse Battalion of NOW, bellied up to the original mahogany bar to down a few cold ones and lay to rest Old John's most steadfast legacy.

Galway-born Irishman John Coyne, now a McSorley's waiter, remembers that day. He'd seen them coming from his guardpost at the door, and quickly threw the deadbolt in place. In a quiet but uncertain tone, he refused their soprano-voiced demands for entry, but to no avail. Moments later, brandishing a copy of a newly-enacted city law and flanked by a sheepish pair of New York's finest, they burst through the front gates and swaggered across the sawdust-covered floor to down a few mugs of ale and gloat in their victory.

In recent years prior to this occurrence, the entry of a member of the fair sex into McSorley's was heralded by the bar-

tender's ringing of a bell (the same bell once used to mark rounds at the original Madison Square Garden). Should this have failed to impress upon the lady her errant stepping upon sacred ground, the lights were extinguished and a rhythmic stamping of feet and pounding of steins ensued, accompanied by an equally boisterous chanting: "NO WOMEN, NO WOMEN, NO WOMEN...."

Actually, the admission of women has done little to change McSorley's old world, Irish pub atmosphere. It still looks and feels much the same as it did when it was established in 1854 by John McSorley, an Irish immigrant who, fresh from County Tyrone, modeled his alehouse after a similar saloon back home. A pack rat when it came to memorabilia, Old John for years saved the wishbones of Thanksgiving and Christmas turkeys and strung them on a rod connecting the pair of gas lamps above the bar (the dusty bones, hoary as tarantula legs, are usually the first thing a new customer asks about). Old John plastered the partition between the front barroom and the back room with autographs, starfish, photographs and lithographs of the city, theatre programs, campaign buttons, political posters, and worn-down shoes from the hooves of race and brewery horses. Over the entrance to the back room he affixed a shillelagh and a sign: "BE GOOD OR BE GONE." On the barroom walls he hung pictures of steamboats, horses, Tammany politicians, jockeys, prizefighters, singers, actors, and U.S. presidents. Beneath an oak frame containing superb portraits of Lincoln, Garfield, and McKinley he attached a brass tag that reads, "THEY ASSASSINATED THESE GOOD MEN THE SKULKING DOGS." Eventually every square inch of space from the floor to the paint-chipped ceiling was occupied by photos, paintings, and souvenirs.

Old John's son, William, a gruff and surly sort, took over the day-to-day running of the bar about 1890. After his father's death in 1910, Bill tirelessly refused to change anything about the bar's customs or appearance unless absolutely forced to. One such necessity occurred in 1933, when Bill was informed by a carpenter that the bar suffered from a nasty sag and would collapse without warning one day if something wasn't done to shore it up. Bill finally consented, but while the workmen hammered away at the tavern's ancient timbers, he sat at a table in the back room, morose and immovable, and refused to eat for several days. When the smoke-stained and cobweb-encrusted paint on the ceiling began to flake off and fall to the floor, several customers complained lest they be choked to death by the flakes they found in their ale. Begrudgingly, Bill allowed the ceiling to be painted anew.

Bill was so stolid in his ways and so strongly attached to the tavern and its customs that when Prohibition came, he

refused to allow even a single day's interruption of business. Customers simply buzzed a door in the hall beside the tavern, knocked on a door in the back room, and were admitted. Bill paid no protection, nor was McSorley's ever raided. Patronage by a regular caucus of Tammany politicians who drank their way through those austere years no doubt gave Bill's establishment a certain immunity.

With his ale supplier shut down, however, Bill was forced to make other adjustments as well. His homemade product was a brew so strong that he had to weaken it with near beer. It was produced mysteriously in a cluster of washtubs in the cellar by a retired brewer from the Bronx.

Bill was without heirs and had vowed that "when I go, this place goes with me," but in 1931, old and tired, he sold the saloon—lock, stock, and traditions—to a patron, Daniel O'Connell, a retired policeman, with the understanding that nothing about the place be changed. O'Connell died eight years later, and willed the bar to his daughter, Dorothy O'Connell Kirwan, who put her husband, Harry, in charge. To



her credit, for the 36 years she owned the bar, Mrs. Kirwan never set foot inside during business hours, except occasionally to venture in from the street to raise a glass signalling a round on the house.

The resoluteness with which McSorley's has maintained its traditions has enabled it to attract much the same breed of patron as it did in the days when Old John was master of the saloon. Most venerable of its clientele, now as always, is a group of gruff and testy, predominantly Irish old men, who, studying their racing sheets and nursing their ales, sit in rickety armchairs around the big potbelly stove, motionless as barnacles.

But the McSorley's tradition has attracted the famous as well as the unsung during its century and a quarter of existence. One of Old John's closest friends was Peter Cooper, president of the North American Telegraph Company and founder of Cooper Union college a block away.

In addition, such illustrious types as Teddy Roosevelt, Jack Dempsey, Mayors O'Dwyer and Wagner, Jackie Gleason, Cassius Clay, and David Eisenhower have drunk here, to name a few. The list of writers to be found in the guest book reads like an anthology of American literature, including the names of Dylan Thomas (who

scribbled poems here), T.S. Eliot, E.E. Cummings, Paul Blackburn, Eugene O'Neill, Norman Mailer, J.P. Donleavy, and, of course, Brendan Behan.

But for those seriously interested in McSorley's—or just in saloons, period—it would behoove them to apply the empirical method, an approach which has the added benefit of enhancing the reasoning process via the consumption of a few mugs of ale. Located on the ground floor of a red brick tenement on Seventh Street between Second and Third Avenues, McSorley's is but a ten-minute cab ride from midtown Manhattan, and it goes without saying that the hack who doesn't know the whereabouts of McSorley's has yet to be licensed.

Except for a few experimental months at the turn of the century, no hard liquor has ever been sold here. Newcomers from out of town stroll into McSorley's almost daily to order their usual Scotch and waters or bristol cream sherries, only to discover with much consternation that the tavern serves only ale. Ale by the glass stein (light or dark brewed by Rheingold) at two for a dollar, or by the bottle (Carling's Red Cap, Guinness Stout, Ballantine's India Pale), but ale only.

McSorley's also serves food prepared in a closet-sized kitchen off the back room. The regular fare includes ham, turkey, and liverwurst sandwiches, accompanied by plates of crackers, cheddar, American or Liederkranz cheese, generous portions of raw onions, and the hottest mustard this side of Hong Kong. The daily businessman's luncheons are McSorley's own specialties: steaming bowls of chili, homemade goulash, knockwurst with sauerkraut, a hash that has elicited rave reviews from New York food critics, and the "Tuesday Special," a corned beef and cabbage favorite that always draws a hungry crowd for lunch.

When McSorley's habitués are not eating or drinking, they're talking. Conversation isn't merely the chief activity—it's the only one. The bar is notably different from many of the neighborhood pubs in that no games are played here, no chessmen moved, no darts thrown, no pins knocked down. Nor are loud altercations or physically uncivil disturbances tolerated. In fact, the late John Smith, a McSorley's bartender who celebrated his 30th anniversary behind the tap in 1972, kept a "little black book" filled with the names of black-balled brawlers. He once banished a drunken local painter "for life" (but later readmitted him) and on one occasion ejected a rowdy pair whom he knew to be Dylan Thomas and Brendan Behan.

The atmosphere is decidedly gloomy, dark, and, especially during the afternoon, tranquil, much to the delight of those seeking sanctuary from the hustle and commotion of the city. Repose comes easy here amidst the thick, musty odors of tap drippings, pine sawdust, coal smoke, pipe tobacco, and onions. (Indeed, the rich

compost of smells at McSorley's was once described by a Bellevue intern as having more benefit to the mentally disturbed than psychotherapy.)

By contrast, evenings, especially on weekends, are noisy. Crowds of young men and women pack the place. Many stand, consuming their mugs of ale while ogling the bits and pieces of history adorning the walls.

In the half-dozen years since women were admitted, they have become as much a part of the bar's evening trade as men,

and in fact make no protest about having to share its one-room privy—complete with three bathtub-sized urinals—with their male counterparts. On weekend nights the college boys who jam the back room get some pretty gamy ideas after downing a few ales, and often a waiter will stand guard at the door when a female customer is inside.

"If women want total equality, I don't see why the concept shouldn't extend to restrooms," says McSorley's current owner Danny Kirwan, who took over its management for his mother (now deceased).

Like her, and like Bill and Old John before him, Danny has kept the bar's traditions intact for the benefit of present and future generations of ale drinkers.

Perhaps McSorley's enduring place in the history of American saloons is most felicitously stated by the simple declaration lettered in white across its front window: "WE WERE HERE BEFORE YOU WERE BORN."

McSorley's will probably be here when we're gone, too. □

BOOK REVIEW

The War Against the Automobile

B. Bruce-Briggs / E.P. Dutton / \$10.95

James Q. Wilson

This is a witty, devastating attack on some of the conventional criticisms against the automobile and on some of the favored remedies for its real and alleged defects. Devastating attacks, in literature as in war, are likely to destroy more than just the enemy, however, and this is no exception: Bruce-Briggs' fusillade cuts down everything in its path, but a few stray bullets injure some innocent bystanders.

I will declare my bias at the outset: I am hopelessly in love with good automobiles (of which more are manufactured today than once was the case). I do not include in my list of good automobiles the Volvos and Ramblers that are required driving for faculty members at Eastern universities. The former are unwieldy, boxy, gutless examples of Swedish bad temper and the latter are the best argument anyone could ever make as to why George Romney should not have been taken seriously as a presidential candidate. I oppose the 55 mph speed limit and cheer every truck driver who comes up with a new way to evade it. Now you know the worst.

But I also believe that, whatever one's bias, it is possible to take evidence seriously and make reasoned judgments about the costs and benefits of forms of transportation. In the first seven chapters of his book, Bruce-Briggs gives a lively and on the whole accurate summary of many of the studies of safety, fuel, pollution, and the automobile industry and, in the process, reduces to rubble many of the ideological stereotypes that substitute for thought on these matters.

For example: Vast areas of the country have not been paved over by the highway lobby. The car has not destroyed our cities. The car *has* destroyed the collective (mis-

takenly called "mass") transit system and for a very good reason: By almost any measure, the car is a more efficient and more pleasant mode of transportation. Automotive advertising does not mesmerize the consumer into mindless purchases. Detroit is not a monopoly. The 55 mph speed limit cannot be shown to have saved many lives. Detroit is not being unreasonable in saying that the air quality standards imposed by Congress are unreasonable—it is Congress that is unreasonable. Do not take my word for all this; read the book, study the (simple) tables, and form your own conclusions.

Bruce-Briggs makes, I think, some mistakes. He is simply wrong to defend the poor engineering Detroit has devoted to the most important parts of a car—*not* the engine (Detroit has done marvels with that), but the suspension, steering, and brakes. Some American cars today are slightly better than they once were in these respects, but on the whole they still drive like a lobster boat in a following sea. When steering a full-sized Chevrolet or a Ford station wagon, I sometimes feel I should make no maneuver without first hoisting signal flags warning all other craft that I am about to change, slowly, ponderously, and uncertainly, my course.

And smog. I know that medical studies fail to show clear evidence of adverse health effects from smog, and I am glad Bruce-Briggs points that out (most people think it is a proven carcinogen). But two objections are in order. One is that the long-term health effects from any environmental cause are notoriously difficult to establish by public health research precisely because they are long-term and part of a complex environmental system. The other is that smog is damned unpleasant—it makes my eyes water and itch, and I can't drive in a straight line while blinking and scratching.

In his onslaught against the critics of the automobile, Bruce-Briggs is determined to take no prisoners. These critics are part of the "New Class" of educated professional persons who seek to aggrandize state power by taking the credentials and lessons of Ivy League schools and turning them to the service of their own interests and ideology. They are "elitist" and anti-American. They are a pox, a scourge, and besides they wear corduroy jackets and knit ties. They are, among other things, "Porsche populists."

Now wait a minute. I drive a Porsche, wear knit ties, and teach at an Eastern university. The economists who have done the basic empirical work on the superior efficiency of private automobiles drive Volvos, wear knit ties, and teach at Eastern universities. Ralph Nader dresses like an undertaker who sells Thom McAnn shoes on the side, generally doesn't drive at all, and doesn't teach at an Eastern university (though he studied at two). Daniel Patrick Moynihan, who is referred to as the "Clausewitz of the war on the automobile," drives a Cherokee (you can't get more Middle American than that), wears bow ties, and has a dim opinion of Eastern universities, some of which have gone out of their way to make life miserable for him. I think some finer distinctions are in order, and until they arrive, I urge the reader to skip chapter eight.

Instead, the reader should enjoy the critical skills of Bruce-Briggs and his wide familiarity with the literature on the car and its effects on our society. A good place to enjoy it would be while riding on the Bay Area Rapid Transit system in San Francisco, a vast and lovely monument to regressive taxation and engineering incompetence, or on the New York City subways, a vast and ugly monument to the glorious (and at the same time, practical) visions of a bygone era. □

James Q. Wilson is Henry Lee Shattuck Professor of Government at Harvard.

BOOK REVIEW
Essays of E.B. White
E.B. White / Harper & Row / \$12.50

Stephen Miller

E.B. White is, as everyone knows, an essayist, which means that he practices a peculiar trade, one that many regard with suspicion. Essayists—even the best of them—suffer from obvious faults; they lack the aggressiveness of journalists, the patience of scholars, and the imagination of novelists. They uncover no scandals, discover no theses, and tell no tales.

White himself realizes that the essayist is a second-class citizen in the kingdom of letters—and realizes, moreover, that “some people find the essay the last resort of the egoist....” Yet White also knows that anyone who practices a trade that has been worked by Michel de Montaigne and Samuel Johnson—to name the two that he mentions in his foreword to this selection of essays—need not be apologetic about what he is doing. Invoking Montaigne and Johnson, though, is one thing; measuring up to them is another. And White, I must regretfully report, does not bear comparison with them; nor is he in the same league with such 20th-century masters as Orwell and Trilling.

I say regretfully because White is an attractive and agreeable man, and his essays are always gracefully written—usually both lucid in their meanderings and tactful in their silences, in their knowing when not to go too deeply into something. But White lacks the kind of restless intellect that the best essayists possess, an intellect that is never satisfied with itself—that continually thinks about old things in new ways or new things in old ways. White’s essays go down too easily; they move too smoothly towards their conclusions.

One of White’s problems—if we can call it a problem—is his absolute lack of pretension as a writer. The virtues of diffidence and modesty tend to become vices if we feel that the writer is bent upon ingratiating himself with the reader. An aura of coziness suffuses many of White’s essays, a coziness that becomes at times cloying. It is a bad sign, I think, that in his foreword White chooses to call Samuel Johnson “the good doctor.” However whimsically intended, the phrase turns Johnson into a lovable English eccentric; White himself often seems to be straining to become an American equivalent.

As such an avuncular figure—the crusty old neighbor down the road—White offers us amusing views of various matters. But, as is usually the case with such offbeat “characters,” the opinions he serves up

are often quite predictable. He speaks of the need to simplify one’s life, complains about “the technologists,” laments about “a world that has got almost completely out of hand,” and moralizes about a raccoon who “for all her limitations, seems to me better adjusted to life on earth than men are; she has never taken a tranquilizing pill....” Such pieties about the simple and natural life are not, I should add, an insistent strain in White’s work, but they are there nevertheless. We learn, for example, that in Maine the sun “is less strong than Florida’s, but so is the spirit of

development, and I can stare at the sea without peering through the wire mesh of a trash basket.” These words hint of complacency and snobbishness, and they betray a certain well-bred sanctimoniousness that often can be sniffed in the pages of the *New Yorker*, which was the usual outlet for White’s writings.

To do him justice, though, White does not take himself seriously enough to serve as an apostle of the simple life—or, indeed, as an apostle of anything. For the most part he is content to be a quirky and refreshing observer of the antics of animals

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—especially geese, raccoons, and dogs—as well as the antics of people, especially himself. Most pieces are genuinely amusing, and one—“Death of a Pig”—manages to move towards larger questions and deeper feelings. Both this piece and “Farewell, My Lovely!”—an account of White’s struggles with his Model T Ford—are perfectly wrought essays that are destined to find their place in anthologies of American writing.

Yet the garden White cultivates—however charming and urbane—is finally a small one, a garden that leaves out too much. We miss in White’s work what we find in the best essayists—the tension between the world of ideas and the world of ordinary life, a sense of the myriad ways

in which the mind—and I don’t mean only the intellectual’s mind—makes sense of experience. Only in “The Years of Wonder,” a mini-autobiography in which White describes a peculiar rite of passage he underwent as a feckless young man, do we get the kind of generalizing power that we expect from the best essayists. For in this piece White takes a close look at the strange amalgam of ideas that tossed around in his head at the time—ideas, he implies, that are often in the heads of young men in their twenties.

“The Years of Wonder” is also very much an American tale of adventure on a new frontier—what was then the strange new world of Alaska. And White is a writer distinctly in the American grain—a solitary

soul intent on celebrating, in his own humorous way, the mysterious interconnectedness of things. We hear in his work not only the voice of Thoreau, to whom he pays his respects, but also the voices of Whitman, Williams, and Roethke. Though this tradition, which currently nourishes the fine American essayist, Edward Hoagland, lacks the kind of astute observation of human conduct that we find in the best English and Continental essayists, it has its own energies and attractions. Instead, then, of being too hard on White for what he does not have to offer, we should recognize his successes in this vein—a handful of essays that have, as White puts it, “the odor of durability clinging to them.” □

BOOK REVIEW

PR as in President

Vic Gold / Doubleday / \$8.50

Baron Von Kannon

One Saturday morning in October 1960, I was listening to a group of farmers discuss politics in the back room of Cotton Jones’ grocery store. Jasper County, Indiana, was staunchly Republican then, not to mention Protestant, so it wasn’t surprising that most of the men supported Richard Nixon. While my recollection of the discussion is understandably fuzzy (I was eleven at the time), I do remember the major indictment against John Kennedy: He didn’t even write his own speeches!

Today, of course, few politicians write anything, and everyone knows it. Speechwriters, along with pollsters, advance men, advertising copywriters, media specialists (print), media specialists (electronic), and other assorted image-makers have come out of the closet. Their importance is underscored by the fact that the seriousness of a nascent campaign is often judged not by the candidate’s positions on major issues, but by his success at recruiting top-rate public-relations experts.

In his latest book, Vic Gold (himself a former Washington PR man, or “Retired Flack”) supplies a highly entertaining account of political image-building in the 1976 presidential campaign. Gold contends that “from the beginning, this was to be the most public relations-oriented Presidential campaign in history. Not simply because Gerald Ford...operated the most public relations-oriented Presidency in history...not simply because post-Watergate federal election spending laws placed a premium on pure flackery, as dis-

tinguished from paid advertising exposure, so that the campaign had to be built around media events....More than that: the news media, under pressure of their own accelerated needs...would be active participants in the games the flacks would play.”

The most enlightening revelation concerning the flacks and their games comes through Gold’s description of the public-relations experts. For the first time I realized that there actually exist people who are more vain, more petty, even more peculiar than politicians.

Gold offers example after example of public-relations experts who spent their time promoting themselves at the expense of their candidates. Mr. Ford’s campaign specialists, according to Gold, continually generated publicity that reinforced “the widespread view that he is an affable oaf who needs help to thread his way through a sentence.” For instance, Don Penny, a top Ford flack, was quoted in the *Washington Post* as saying, “The trouble with the President is that half the time he sounds like a Florsheim shoe salesman.”

Governor Reagan had a similar staff problem. Reagan’s strategy, one will recall, was to score early and decisive victories against Ford in New Hampshire and Florida. Thus humiliated, Ford would step down, and Reagan would begin preparations for the general election. A major hitch developed, however, when one of Reagan’s flacks became prematurely concerned that President Reagan would not be sufficiently conservative. Gold writes, “The idealistic researcher-speechwriter, for his own peace of mind, needs to pin his candidate down.” He did, with the now-famous speech in which Reagan advocated a \$90 billion re-

duction in federal expenditures. Whether or not the proposal had merit, its timing forced Reagan into debates with emotionally hostile voters fearful that local hospitals would be boarded up. As a result, he lost his momentum and the all-important early primaries.

Governor Carter’s flacks seem to have had more respect for their candidate, but were even more vain and self-serving than Ford’s or Reagan’s. No less than three key aides—Peter Bourne, Hamilton Jordan, and Charles Kirbo—claimed to be the one man responsible for persuading Carter to run. More important, Jimmy’s good old boys were so proud of their success at getting Jimmy the nomination, they just *had* to brag to the press. The reporters, obliged by spelling their names right, and the good old boys continued to announce their campaign plans to the world. Jerry Rafshoon, Carter’s man in charge of advertisements, went so far as to boast on national television how he flimflammed the voters of Pennsylvania. By his own admission, Rafshoon responded to the charge that Carter was vague on the issues by merely adding the line “Jimmy Carter on the issue of...” at the beginning of the very television commercials which had been criticized.

After reading *PR as in President*, one wonders why Gold did not spend more time on the issues—though come to think of it, what *were* the issues of 1976? Only one pops to mind, the Panama Canal dispute, and the candidate closest to popular sentiment on that one failed to receive his party’s nomination. (Oh yes, there was also Jimmy’s commitment to a government of love and competence.) →

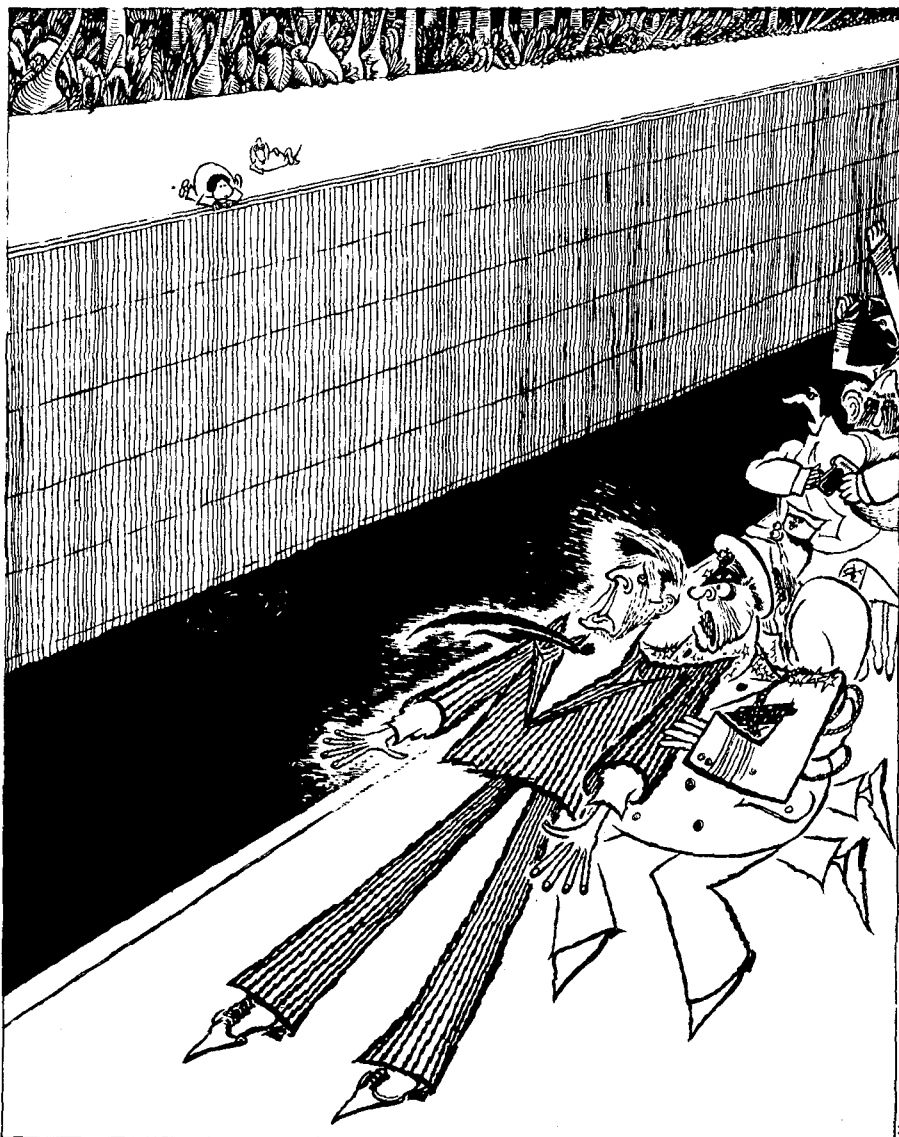
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41AS

Throughout 1976 candidates criticized the media for their lopsided focus on campaign strategy rather than issues. At the same time, one read occasional complaints in the press that the candidates had failed to come up with any new ideas. Despite these periodic laments, it is clear that 1976 was the year that style defeated substance in the political arena. What is less clear is who is at fault.

Candidates, on the one hand, obviously are eager to generate as much favorable media coverage as possible, and if the media choose to cover such things as "Peanut Brigades" and snowball fights in Miami (snowballs courtesy of the Commander-in-Chief), then Jimmy's and

Jerry's flacks are eager to oblige. Candidates who ignore fluffery—as Gene McCarthy doesn't learn every four years—end up with small bills from their clipping services and very few votes.

On the other hand, one shouldn't be too quick to cast blame on the media. The most popular—and profitable—publications seem to be those of the Rupert Murdoch variety, and publishers who traffic in serious analysis of the issues generally face rising deficits. The satisfaction of reaching an elite readership with thoughtful articles doesn't pay the bills.

At this point a reviewer might be expected to criticize candidates and media alike for their emphasis on style over sub-

stance, to bemoan this deplorable condition, and to suggest solutions to it.

I shall not do this for the simple reason that I share our editor's belief that most politicians are buffoons and most journalists jackasses. Neither is capable of dealing with serious issues, and when they try the rest of us pay dearly. Further, when campaigns are obvious circuses the natural skepticism of the American public is reinforced. Such skepticism causes people to dismiss what they read in the newspapers as balderdash, and to doubt the ability of the government to do anything right.

So bring on the flacks! Bring on the superficial reporting! They are the Republic's salvation. □

BOOK REVIEW

The Rage of Edmund Burke: Portrait of an Ambivalent Conservative

Isaac Kramnick / Basic Books / \$12.95

Paul A. Rahe

For the layman eager to learn about Edmund Burke's political thought and career, Isaac Kramnick's biography will be useless. But for the reader with an interest in the follies to which contemporary academics are particularly prone, it is a gold mine—a veritable treasure house of trendy gibberish.

"The complexities of Burke's social thought," Professor Kramnick tells us, were "reflective of deep confusion over personal identity. Behind the public creed lurked nagging issues of private need." Young Ned was a sickly child, afflicted with a lung disease that forced him to spend the years between his sixth and eleventh birthdays away from his father's damp Dublin home and with his mother's family in the Irish countryside. According to Professor Kramnick, these "years of youthful separation" from his father were "traumatic," and, as a consequence, the boy had "problems in the area of sexual object choice." Kramnick explains:

Successful resolution of the oedipal conflict requires an identification with the father. The fear of the father's angry rebuke of the young boy for his incestuous designs on the mother is resolved in this identification. It was just when such identification should have occurred that Burke's father was absent. Burke's separation from his father from age six to eleven thus looms as the critical experience in Burke's youth.

Thus when Burke, in his early twenties, underwent "an 'identity crisis' and a 'moratorium' [corresponding] perfectly with the Eriksonian paradigm," his experi-

ence was complicated by "unresolved oedipal issues." As a result, Burke's personal crisis was "never completely resolved [and his] basic ambivalence persisted throughout his life." This was reflected in the presence of both his good friend Will and his wife Jane in the Burke household, and in Burke's oscillating admiration for the masculine "bourgeois principle" of assertiveness and ambition and the feminine "aristocratic principle" of self-deprecation and deference which characterized both his political thought and his public behavior. "The antagonism between what Burke conceived of as the active/bourgeois/masculine principle and the passive/aristocratic/feminine principle," writes Professor Kramnick, informed Burkean theory as well as Burkean practice. Burke the conservative is thus replaced by Burke "the ambivalent radical."

Even more astonishing than his bizarre hypothesis is Professor Kramnick's argument. He admits that "Burke remembered his stay with his mother's family with great fondness," and later, in referring to his earlier speculation on Burke's childhood, he acknowledges that there is not a shred of evidence suggesting that the boy found the separation from his father "traumatic." This may explain why Kramnick concludes his chapter on Burke's "identity crisis" with the admission: "there is no solid evidence that can be produced here which would positively sustain the interpretation of Burke's sexual and psychic life offered in this book."

The same can be said for Professor Kramnick's interpretation of Burke's writings and speeches. There is no evidence indicating that Burke conceived of

an "active/bourgeois/masculine principle" or a "passive/aristocratic/feminine principle." Burke did use what Professor Kramnick considers stereotypical masculine and stereotypical feminine adjectives, but even Professor Kramnick has to acknowledge that it is "by no means certain that this patterning of words had conscious gender association for Burke, or, for that matter, particular linkage to social or class character." In short, Professor Kramnick's analysis of Burke the thinker and Burke the politician is based on a "psychosexual hypothesis" which is based on "no solid evidence."

This does not bother Professor Kramnick: He is not one to let the facts get in the way of the "organizing and interpretive construct of [his] own creation" which, he admits, he has "imposed from without on [Burke's] life history." He does claim that his argument is "well within the pale of interpretive insight" and that his "speculations are usually based on extensive textual documentation." But as Conor Cruise O'Brien has demonstrated, what you find are "little scraps of Burke embedded in great wedges of Kramnick prose, purporting to paraphrase Burke, and in fact just plain distorting him to suit the Kramnick thesis."

The "construct" responsible for the violence Professor Kramnick does to the evidence is the product of an injudicious mixing of a debased Marxism (deprived of its claim to scientific accuracy) and a debased Freudianism (shorn of its recognition that self-restraint is a prerequisite for civilization). Professor Kramnick finds "the real Burke" produced by this imaginative construct to be "infinitely more fascinating" than the traditional Burke. He

claims that his is "a reading of Burke which far from seeking to discredit him hopes to enhance and enrich our understanding and appreciation of his life and thought." This new Burke offers "nothing less than a pivotal insight into that great turning point in our history—the transformation from the aristocratic to the bourgeois world. He does this not only in his ideas, but also in himself. He personifies this transformation. It is in this that his importance and even his greatness consist."

Thus, what purports to be a book about Edmund Burke is in fact a work of psycho-social typology designed to account for that irrational and obsessive "rage" which Professor Kramnick believes to be "at the heart of conservatism" and to help us understand and appreciate "the eternal longing of the conservative for the elimination of rational thought from politics." It is this underlying polemical purpose which explains Professor Kramnick's attempt to

classify Nathan Glazer, Irving Kristol, Edward Banfield, Daniel Patrick Moynihan, James Q. Wilson, Allan Bloom, Andrew Hacker, and the late Alexander Bickel with such Burkeans as Peter Stanlis, Russell Kirk, and Francis Canavan. Kramnick finds his Burke "fascinating" because, by disposing of one psychosexual misfit, he believes that he can dispose of all of liberalism's contemporary critics.

In and of itself, Professor Kramnick's silly book is not worthy of notice—but the fact that it was written by a reputable scholar and published by a respected commercial press should arrest our attention. There was a time when psychohistory was regarded with disdain by members of the historical profession: That time has passed. The publication of this Marxist psychobiography of Burke illustrates an important and powerful trend—one best described more than a century ago by Tocqueville. "In aristocratic ages," he observed, the historian's attention "is con-

stantly drawn to individuals." In a democratic age, he will "attribute hardly any influence to the individual." Instead, he will "assign great causes to all petty incidents" and lead men to believe that the world's "movement is involuntary and that societies unconsciously obey some superior force ruling over them." This tendency has two roots—the fact that "general facts serve to explain more things in democratic than in aristocratic ages," and the fact that history which does justice to the few great individuals is offensive to democratic sensibilities. In arguing that Burke's ideas "should be treated as *products* of historical and personal experience," Professor Kramnick is denying the possibility of reflective detachment and suggesting that Burke's thought obeys "some superior force" ruling over it. In so doing, he panders to the worst prejudice of our time—that which suggests that because most men are captivated by the spirit of the age, all men must be. □

BOOK REVIEW

Six Men

Alistair Cooke / Alfred A. Knopf / \$8.95

Terry Eastland

About a third of the way through this splendid book, I had the feeling that somehow the television had come on and there was Alistair Cooke, speaking the very words that I was reading. I shouldn't have objected had this in fact happened, inasmuch as any one of the memoirs that make up *Six Men* could agreeably be read aloud, even over the air. That is, in fact, precisely what distinguishes this book: It is written for the ear. And because it is, one happily lingers over phrases, sentences, and even whole paragraphs. Any writer should seek this effect, but especially a memoirist, since at his best he will enforce something like adagio speed on the reader, the better to allow him to take in the life being remembered.

Each of the six men—Charlie Chaplin, Edward VIII, H.L. Mencken, Adlai Stevenson, Bertrand Russell, and Humphrey Bogart—were good friends of Cooke or subjects for a lot of his by-lines. About them one learns a variety of things, ranging from the odd bit of fact to traits, habits, and dispositions. One learns, for example, that Chaplin was as unaware of his rising fame early in his career as he was later on of the \$900,000 that had piled up in a checking account; that Edward inherited from his grandfather a sensual, sybaritic

side but from no one did he get that necessary attribute of royalty, a sense of duty; that Mencken was a compulsive hand washer and rarely wrote a piece without retreating to the washbasin five or six times; that Stevenson could not commit what his political managers asked for—at least one grammatical error a day during a campaign swing through California; that Russell figured Gladstone, not Lenin, was the most terrifying man he ever sat opposite; and that Bogart, though afraid to say so, was at bottom an incurable puritan.

One learns about these men, moreover, with good humor and irony and without gush or whitewash. It is the absence of these latter that credits Cooke as a memoirist, since the temptation of the genre is to indulge the person written about. Particularly does Cooke avoid this temptation in his treatments of Edward and Russell, possibly the best memoirs of the lot, and so worth noting.

Cooke tells the story of Edward's abdication, brought about by his insistence on marrying an American divorcée, a Mrs. Simpson, and then moves on to comment on Edward's 35 years in exile. Here Cooke might have adopted that attitude towards Edward which the former monarch himself came to adopt, namely, that "he had been condemned to exile for nothing but his great love." Cooke might have written as Shana Alexander, whom he quotes, once did: "On this side of the water, the entire

affair can only make sense as romance. As history, it was outrageous, medieval in its cruelty...beyond all human comprehension."

But no: Cooke likes Edward, all right, but cannot admire the self-pitying Edward in exile. Edward "had not been simply a lover defied but the mainspring of a constitutional crisis." It was his insistence on marrying Mrs. Simpson that raised the issue of whether there may not be some ways in which a king has independent political power. Had Edward known what happened in 1688, he would have also known that there were none; that, indeed, his marriage to Mrs. Simpson touched the public interest and so was subject to scrutiny by Parliament.

Ignorant of history as king, Edward was similarly ignorant in exile. He failed to understand that "in the British system the monarch is the vessel of the monarchy and that once the vessel is changed the old monarch has at best a dubious status." Edward was no more than a washed-up king, and yet in his self-pity he wanted the perquisites of royalty; he did not get them, and Cooke wisely does not indulge him now.

Concerning Russell, the temptation is to say on the subject of the man's goatish ways that he was a great lover, and then to say no more. But Cooke perceptively notes that the puritan in Russell and his "very conscious intellectual nature" forced him "to explain every sexual call of nature as a

Terry Eastland is an editorial writer for the San Diego Union.

fated invitation to a mystical union of souls, an incurable form of rationalization that got him into perpetual trouble." The implication is that Russell sought the lofty explanation when downright lust may have been—and probably was—all that was at work. That is not a flattering notion about a man who hated hypocrisy and made much of the importance of honesty; but it is an accurate one.

The dustjacket notes that in reading *Six Men* one will come upon a seventh—Cooke himself—and I would be remiss were I to let him go unattended. Yes, there are spots throughout the book where Cooke necessarily pops up, as in the anecdotes in which

he co-stars. But I should think that the more interesting glimpse of Cooke is suggested in the two sentences that close his prefatory "A Note on Fame and Friendship": "They [the six men] all seem to me to be deeply conservative men who, for various psychological reasons, yearned to be recognized rather as hellions or brave progressives. Perhaps that is their real link with this writer." Well, there's no use trying to get inside Cooke's head to discover whether he yearns, or once yearned, to be the hellion or the progressive. But on the other matter, the style and substance of *Six Men* leave no question: Cooke is conservative, in the spiritual and social sense

of that word, and in that sense more "deeply conservative" than some members of the sextet he writes of. Edward failed in having both a sense of duty and a knowledge of history, and Russell lacked—Cooke's term—horse sense.

Because qualities such as these often are missing in our public men, and in our journalists, I venture that their presence in Cooke accounts for a great deal of his popularity. If so, it is more evidence that the New World likes what the Old periodically and graciously seems to deposit in its midst: a civilized and civilizing man. *Six Men* is distinctively the work of such a man. □

BOOK REVIEW

A Rumor of War

Philip Caputo / Holt, Rinehart, Winston / \$10.00

Edward J. Walsh

Of the American writers, it was probably Stephen Crane, in *The Red Badge of Courage*, who first described the sublime camaraderie of men in battle. Crane wrote: "There was a consciousness always of the presence of his comrades about him. He [Fleming] felt the subtle battle brotherhood more potent even than the cause for which they were fighting. It was a mysterious fraternity born of the smoke and danger of death."

A century had passed since the end of that most tragic of American wars when Marine Second Lieutenant Philip Caputo led his rifle platoon at a jaunty double-time down the ramp of an Air Force transport onto the tarmac at Danang, Vietnam. His unit, Charlie Company, 1st Battalion, of the 9th Marine Expeditionary Brigade, spearheaded the introduction of American ground troops, in the spring of 1965. Of the Marines, traditionally the "first to fight," the 9th MEB was the first to dig foxholes in the muddy clay of 'Nam, the first to hear sniper fire about its ears, the first to shed the illusions wrought by John F. Kennedy's proud mythmaking.

Caputo survived almost a year in the hot wet jungle, watching his fellow Marines kill, and die. *A Rumor of War* is his bitter-sweet memoir. The book is a chronicle of modern war: shorn of glamor, but not heroism; punctuated often by cowardice and awful malice, but with acts of true nobility and manly tenderness as well. It is the unending contradictions which mark Caputo's book most conspicuously. For him, the war was neither evil nor virtuous,

but, one suspects, a terrible adventure he undertook, seeking no more than adventure and material for a Hemingwayesque novel, living out his tough-Marine fantasies, but getting more than he bargained for. The best passages are the descriptions of Marine Corps training which the author, for all his agony, thoroughly enjoys in the retelling, as do all Marines; and the battle episodes:

The last helicopters were taking off, climbing nose down, banking sharply as they climbed, with the dark-green mountains in the background. Marines were fanning out across the rice paddies, some in extended skirmish lines, some in serried, staggered ranks, the mortar shells bursting among them. An enemy automatic rifle tack-tacked from a row of grassy mounds, west of the landing zone....

Ten years after leaving the Corps, Caputo has finished his war story. It is all too true, told without melodrama, every fact in place. We learn—or, for those who were Marines, are reminded—of the Marine Corps policy, cast in iron, of using black ink, never blue; of the archetypal gyrene platoon sergeant, who rules by intimidation—and well; of the heart-rending eagerness of young men for war—the blood-swollen god, Crane called it.

We remember, too, that in 1965 there were few who thought twice about sending ground troops to Vietnam—to plod through glue-like mud in jungles, carrying mortars and 25-pound machine guns, chasing an enemy who lived there but did not mind dying if it helped kill or mutilate an American. As the Marines bore the brunt of the fighting for the first two years of the war, they took casualties: to booby traps and disease, to insects and misplaced friendly

fire, as much as to the Viet Cong. Caputo, like many of our friends and neighbors, went along; he was lucky enough to come back.

But for all the searing emotion of collecting the wounded, for all the gripping suspense of waiting in foxholes on endless pitch-black nights, it is the handwringing ambiguity of the author's loss of faith that finally dominates, and dilutes the genuine power of his book. Two-and-a-half years after America's humiliation in Indochina, there are few left who would defend our policy there; even fewer—probably no one—who would defend the way Caputo and his men were forced to fight. But Caputo plays out his disillusionment with the war as if he had to sell it to the reader. His objections to the Vietnam adventure are not particularly original: He wonders why we were there, what with the corrupt Saigon regime; he laments what the war did to the good, average, small-town boys in his platoon; he despises, understandably, the body-count syndrome. With a few moving exceptions, his protest is the same as that heard on college campuses in the late sixties. After his discharge, Caputo participated half-heartedly in the antiwar movement, mailed back his medals, etc., all of it tortuously replayed in *A Rumor of War*. Which is a shame; the book could have been a poignant work of art.

At the same time, the author is candid. A veteran of countless firefights, he confesses that he, like many who shared his experience, is unable to detach himself from the compelling thrill of combat, with its mystic lure of danger. "Under fire, man's powers of life are heightened in proportion to the proximity of death, so that he [feels] an elation as extreme as his dread," he tells us. Crane may have been more

Edward J. Walsh, who served as a First Lieutenant in the U.S. Marine Corps, works for the United States Industrial Council in Nashville, Tennessee.

eloquent, but not more honest; Caputo was there.

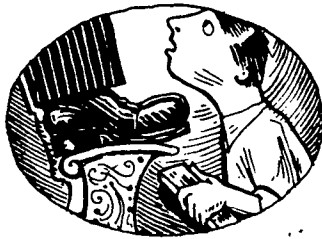
A Rumor of War is a book for Vietnam veterans and their loved ones—perhaps especially for the veterans. In the end, the clash of emotions doesn't work; the indecisive moralizing by the former English major doesn't mesh with the terse descriptions of fear and courage in the rice

paddies and the crude field hospitals. Significantly, Caputo dedicates his book to two of his comrades, an enlisted man and an officer who both fell in Vietnam. Whatever his later sympathy for Joan Baez, she isn't mentioned.

It is the intensely sad, wholly humane quality of the book that makes it worthwhile. It is an enduring lesson that, on the

battlefield, all wars are the same. The value of Caputo's work is in the descriptions of young men risking death to rescue wounded buddies, which happened as often as the incidents of cowardice and cruelty of which we are constantly reminded. The tedious finger-wagging aside, it is the timeless nobility of brave men that Caputo admires. We all could do worse. □

THE BOOTBLACK STAND



Dr. George Washington Plunkitt, our prize-winning political analyst, has accepted a staff position with the House Ethics Committee, but he has graciously consented to continue advising American statesmen in these times of trouble. Address all correspondence to The Bootblack Stand, c/o The American Spectator.

Dear Dr. Plunkitt:

Like millions of other Americans determined to realize their potential as human beings, I have taken up jogging. I have already gone through five pairs of Adidas Superstars. I can tell you I am some kind of runner. Yet the male-dominated capitalist system continues to oppress me and my sisters. Practically every time I set out on FDR Drive I am pulled over by some stupid cop, complaining that state law requires that I affix a "slow moving vehicle emblem" to my "bumper." Last week it

took me 20 minutes to convince one dumb cop that I was not an "overloaded dump truck." To hell with that. I am seeking the Democratic nomination for Ed Koch's old congressional seat. And, as I shouted at my press conference, I intend to fight for a "real" federal urban policy.

Sincerely yours,
Bella Abzug

Dear Ms. Abzug:

Cut the ordure. If we learned nothing else from the 1960s, it was that the only

cities ever improved by the U.S. Government were Hamburg and Dresden, and neither HEW nor HUD had any role there whatsoever. In the South Bronx, admittedly, the government has accomplished half of what it accomplished in Dresden, but it is unlikely that the inhabitants will ever recover, for there is no sign the government will ever let up. I suggest you make your campaign more relevant. Why not fight for an end to the war in Vietnam or for the immediate impeachment of Richard Nixon?
—GWP

There is opportunity in America!



Sarkes Tarzian Inc. Bloomington, Indiana

Dear Dr. Plunkitt:

Recent German studies claim that an immense number of German teenagers are ignorant of Adolf Hitler. According to the German press, one young man claimed he was the designer of the Bauhaus chair and the "greatest dancer of his day." A young Christian Democrat called him "the brother of Dr. Rudolph Hitler and a lifelong proponent of staunch *lederhosen*." Such ignorance of a man who has done so much for world agriculture is worrisome in the extreme, causing us fellows at the White

House to poll American teens about Jimmy.

What we discovered was not good. Twelve percent identified him as Billy Carter's twin brother. To one young person he was "the oddball of the Carter family." A sizable percentage thought he was President Nixon's appointee, while others identified him as "Larry Flynt's brother-in-law," "the Perry Como of country music," and "the winner of the Kentucky Derby." This worries us, for, as the saying goes, youth is America's proverbial future.

What can we do to get youth interested in Jimmy?

Cordially yours,
Jody Powell

Dear Mr. Powell:

How about getting Jimmy busted for smoking dope? What about having him join a rock group? A sex change operation? Biting the heads off chickens on the White House portico? There are a whole range of gimmicks one might use; the intellectual curiosity of our youth is amazing. —GWP

REFLECTIONS ON A MERRY STATE (continued from page 4)

and all the parallels have been drawn, it is enough to say that we are left with Jimmy Carter, a chaste and forward-looking Harding. Carter, the Warren Gamaliel Harding of the Post-Watergate Morality. Through this idiotic decade we have seen more tawdry fads flame out than in any period in our history: sexual revolution proclaimed by grim quacks, solemnly promising a pure heart, a serene psyche, and a sparkingly clean prostate gland through *coitus perpetuus*; LSD and other chiliastic movements vouchsafed only by

illicit science; avant-garde culture—what's dreadful is instructive; women's liberation, homosexual liberation, and now animal liberation. We have run through an obsession with Eastern mysticism, encounter sessions, est, organic foods, vitamin binges, and so forth. Even the peace movement looks today, upon reflection, as nothing more than a suburban fad, and the kids have moved from marching to jogging. Marx and Lenin have been undone by the promise of California.

Let me say it here and now—all these simpletons jogging towards eternal youth, jogging from the bony grasp of the reaper—they are shortening their lives with every step. Now this is perhaps a digression, but it needs to be said. Hardly a day has gone by in the past 25 years during which I did not swim one to five miles; now I play two hours of handball, lift weights, and run. I am a physical disaster zone. If Irving Kristol (who is about to light up a cigarette; so is Bob Nisbet) were ever to give up that tobacco cloud that hovers over him, his life would be thrown into immediate peril. I am a lifelong athlete, and I spend more time with doctors than with my wife. Sure, I have the heart of a bull elephant, but it pumps blood into an anatomical wasteland. My joints creak, my limbs ache, and food makes me nauseous. I am in a constant state of ill health, and am known to every mortician in Bloomington. There is not a pharmaceutical company in the country I am unfamiliar with. *The American Spectator* is the only journal of ideas in America with its own practicing physician on the premises at all times. My neurologist is with me tonight, and as soon as this talk is over I intend to apprise him of a numbness that is gently climbing northward from my left foot.

All this is a direct result of vigorous physical exercise which, along with the claptrap about the urgency of a good sex life, is the modern equivalent of the 1920s fad of taking "an apple a day to keep the doctor away."

Look at Bob Nisbet. He tells me he has never spent an hour exercising. He's in the pink. He looks like a man of mid-40s—and in truth he was 92 years old last Saturday. [Violent disagreement from the audience.] Don't ever jog and for God's sake avoid sex. [More violent disagreement.] The

effects it can have on your heart and lower spinal column can be irreversible. And look what it does to the mind.

Consider Garry Wills. (Now I know the following revelations will be put down as controversial. Bill Buckley will protest and ask for my citations. George Will—who wanted to be here this evening, but he is a jogger and, this is the truth, he has pneumonia—will likewise protest.) He was a model Republican until sometime in 1969 when he fell into the arms of an intellectual cutie from Haight Ashbury and juvenesced until, by 1973, I could never read the classified section of the *New York Review of Books* without thinking of him. Now his transmigration is complete. Never does he pick up a pen without writing turgid bile chastising a man for being too successful or for being a failure, or making some other idiotic point. With Wills exegesis is always difficult. He stopped writing English around 1975—but what a salubrious sex life!

But I grow thirsty. So only allow me to say that our job has been easy. The map was on the wall. Idiots and rascals set themselves up for the pasting they have gotten. They made more money but we had more fun—and we did more good. We have had an opportunity to maintain a forum that, along with the other publications represented here tonight, presents the most accurate analysis of world conditions today, the most thoughtful cultural criticism, and the most promising solutions to our present malaise.

Thanks to the eerie conditions of the last decade different strains of intellect are here tonight. Who would have believed it possible? What brings us together? Conservatism? Old liberalism? Neo-conservatism? Neo-intelligence according to Arnold Beichman and to that I agree. *We are the neo-intelligent of the party of liberty*. We are a growing force in America today and we are enjoying our work—who could ask for anything more? The fact looms large. We walk arm in arm with the gods. We are not responsible.

I thank Judy, my wife. I thank Ron Burr. I thank the Baron for putting this together despite ailments even beyond my own, and I thank you all, and charge you to take on the most gifted bartenders we could find in all New York City. □

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C O R R E S P O N D E N C E

Puerile Equitableness

I just finished reading a film review in your December issue and feel as if I stumbled over a stone on a brightly lit road. How the stone got there is a matter of perplexity. The fact is, however, that a gentleman by the name of David Everitt enriched *The American Spectator* with a report written with a proud, though puerile, equitableness.

Mr. Everitt is obviously a believer in the school of immanent criticism, that is in the full autonomy of a work of art, which should remain detached from ugly realities. But life is cruel, does not let us dismiss it so easily, and bemuddles pure harmonies with impertinent questions. Thus the movie, entitled *Julia*, is made from a story by and about Ms. Lillian Hellman. It is enacted by Ms. Jane Fonda, a former broadcaster from Hanoi, and Ms. Vanessa Redgrave, a Trotskyite who endorses the butchering of Israeli civilians by the PLO. Nevertheless, it was brought to the attention of *The American Spectator's* readers by Mr. Everitt with the help of the adjectives *important*, *poignant*, *accomplished* and expressions like *moving story* and *mature compassion*.

Now, to my mind, the first duty of a critic, even a reviewer, is to put his message, even just an info, into a proper intellectual and moral perspective. If this sounds too demanding, a simple comparison of attitudes known from other works, or public image, would do. Even a reporter deeply awed by the hard-sell humanitarianism and "engaging performances" of *Julia* must ask the question: What does this slick stylishness and artsy glitter serve? Such a question may smack of socialist realism, but I doubt that *The American Spectator* believes that Sholokhov, who wrote a commanding epic, should not be held accountable for underwriting Stalin's crimes. Ms. Hellman exudes, in life and work, a special odor of liberal rotteness at its worst and stalest. Nothing physical, but one who reports on her and her *oeuvres* must notice and mention this perfume, unless he is a fellow-radical or an olfactory invalid. Without a foul smell detector, he slips from criticism down to an "I-sure-like-it" opinion.

Not long ago, Lord & Taylor, a Manhattan department store, presented Ms. Hellman with a Rose Award, which it bestows annually on those who bring "new beauty and deeper understanding to our lives." Mr. Brooks, Lord & Taylor's chairman, thanked Ms. Hellman for her "unshakable faith in the rights of human beings and for her unwavering crusade for personal dignity." She was honored with the same words by the Stalinist scum during her reveling in Moscow in the

forties. Since this is what Lord & Taylor deems rose scent, I will never enter Mr. Brooks' shop. His merchandise is not for me.

Leopold Tyrmand
Rockford College Institute
Rockford, Illinois

Mr. Everitt replies:

Obviously art does not exist in a vacuum, but Mr. Tyrmand's much flaunted sense of smell does not fill that vacuum in any way. While apparently content to sniff about, he seems to find me at fault for relying on my senses of hearing and seeing when considering an audio-visual medium. I don't say this as an unfair literal summation of his argument, but as a way of pointing out what I consider to be an inappropriate and muddled criterion for judgment.

Aside from the moral issue he makes out of whether to-shop-or-not-to-shop at Lord & Taylor, Mr. Tyrmand's most telling remark against Lillian Hellman, and presumably *Julia*, is that Ms. Hellman was praised by Stalinists in the forties. I find this sort of condemnation to be something less than convincing when appraising a writer's work and life. To my mind, allowing the views of those one most dislikes to determine one's own opinion is a slap in the face to responsible thinking. For instance, I understand that in the past Jack London came in for considerable

praise in the Soviet Union. If I were to deny that I admired *Martin Eden* because of this I would be dishonest, if not downright inane. Judging from his letter, though, this is just the sort of thing that would make Mr. Tyrmand's nostrils flare wildly in indignation. I think there is a valid distinction here between independent thought and Mr. Tyrmand's brand of knee-jerk reaction which, I concede, is not olfactorily invalid, but is certainly mentally crippled.

His comments about Vanessa Redgrave are equally off-target. I sincerely doubt that Mr. Tyrmand is more opposed to the PLO than I am, but I can't see how it's necessary to review an actress' political life in order to judge her performance on the screen. Mr. Tyrmand's point of view is just as absurd to me as the stance of liberals who refuse to see movies that star John Wayne.

I can't say that an irate letter of this kind at all surprises me, but I think it should have been sufficiently clear in my review that *Julia* is concerned with matters other than politics—matters just as important as what Mr. Tyrmand perceives to be the "proper intellectual and moral perspective." In his letter, other than quoting my adjectives out of context, he never specifically addresses himself to the way I have assessed the particulars of *Julia*, so I have to assume that he has not seen the film. □

classified

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Major daily newspaper in Texas seeks an editorial writer-columnist who is (a) a good writer, and (b) a good conservative. Some knowledge of Southwest would be nice but not necessary. Send resumé and clippings to Box MN, c/o The American Spectator.

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Newsday

Mr. Arthur Lubow, *Newsday's* professor of moral philosophy, makes bold to issue a pronunciamento bound to make him an esteemed figure at every zoo in America:

Animal liberation will cut deeply into our lives. It will transform our dinners: Can we stomach those chickens that wait in their tiny cages for the butcher's hand that ends their miserable servitude? It will destroy some of our pleasures: Is a visit to the zoo so enjoyable once you know the lions pacing their cages would mangle you with understandable relish for depriving them of savannas to run and antelopes to hunt?

Animal liberation shall eventually arrive. The only question is how many more animals must suffer until human contradictions are exposed. Our children or grandchildren will look back at the barbarities tolerated by our civilization with shocked incredulity. Someday our horror movies, our Godzillas and Creatures from the Black Lagoon, will be seen the same way as our Mandingos and Gothic plantation sagas, and we will understand the vogue of movies in which rats or insects overrun the globe. The scariest horrors are grounded in unconscious guilt. Just as southern whites fantasized that wronged blacks would someday avenge themselves with rape and brutality, so we quake at the prospect of an animal kingdom rising to render justice: at monkeys freed from their cages imprisoning their keepers, at castrated cats mutilating their tormentors, at injected rats reversing the direction of the hypodermic. These are just nightmares, but perhaps only in our dreams can we recognize reality. Perhaps only in our unconscious can we honestly face up to our sins.

[October 9, 1977]

New Times

More evidence of the awesome clamor for progress now resounding amongst the logicians of the social justice claque:

The history of liberation struggles is a story of the progressive broadening of the field of concern: rights were granted first to property holders, then to all white men, then to all men, and then to women. It seems only logical that animals be next.

[October 14, 1977]

Rolling Stone

The life of the mind as lived by Jonathan Cott, and gibbered into *Rolling Stone's* tenth anniversary issue, 178 pages of advertising, prodigality, and literary misery:

For me and many others, the San Francisco Bay Area during the Sixties—like Aeschylus' Athens, Shakespeare's London, Apollinaire's Paris or Mayakovsky's Moscow—was a time when people experienced a true dramatization of life. And it was a time when it was axiomatic that *everyone was a genius until proven otherwise....*

I am grateful for having been able to visit the forest, hearing sermons in stones and the songs of beetles. The values of the Sixties—non-grasping, nonauthoritarian, noninvasive—still make sense to me...and ten years or so later, it's nice to come back to memories and the music.

[December 15, 1977]

Rolling Stone

The inimitable Mr. David Felton notifies his ardent readers of yet another learning experience available to all post-Kafka *intellectuals*:

I wanted a bunny suit. I just felt like it. Naturally most of the shops were clean out of bunnies, it being the day before Easter, but finally one guy told me he might have one my size if I rushed right down. Which I did. And he did—a white woolly one with floppy pink ears and a dumb round tail. And I wore it right out of the store, got in the car, drove down Hollywood Boulevard...and this amazing thing happened. People began staring at me, and instead of feeling embarrassed, I felt...I don't know... *strengthened*, more confident, healthier.

[December 1, 1977]

Ms.

Recent philological findings of Ms. Roz Wolbarsht, the Durham Oracle:

Why is it important for women to use "dirty words"? The answer is so simple that maybe I'm just the last one to discover it.

I think a female's use of words abusive to females *defuses* them. *Our* use takes away the power of the words to damage us. They are no longer tools with which to shock and humiliate. And it's fun, after all these years of proper servitude to a restrictive language code, to bounce them all over the walls and hear not only their echoes but the abuse—take the power to hurt from the particular vocabulary list. In fact, f-k it!

Then we can begin to talk again.

Roz Wolbarsht
Durham, N.C.

[August 1977]

Liberation

An intriguing critique of the political left from the intellectual left by Valentine, Nebraska's own Joan Matheson:

When I read something like Kristeva's "Chinese Women: The Mother at the Center" (March/April), I am left with no one but the American Indians to identify with....

It seems incredible to me that an article can be written about Chinese mothers that gets reduced to the phallus, in particular, and to genitalism, in general. The two great exceptions to this European mania are the Hebrews and the Indians, where the main point of matri-focality (and matrilinearity) is that the matri-focal system unfreezes the values of the *other half* of women's sexuality: the non-coital, non-genital mammary sex of females to soften, civilize, and humanize the strictly phallic society....

Freudian psychology is an obsession, deforming the world it presumes to define. *Economics* is a phallic reification that obliterates the claims of society. Churches are idols whose skirted male clergy reify the powers Nature and Nature's God vested in the females of our mammalian species, the female mammals whose mammary functions are *the root of socialization*. (This is biology, not psychiatry; it is concerned with *structure and function*, not "form and content." We are not coke bottles; we are *alive*.)...

The reason the Left cannot obtain what it desires is that it is functioning on the phallic system of thought.

[July/August 1977]

Miscellaneous

A scientific questionnaire, discovered in the women's locker room at Columbia University, proves that modern humankind's thirst for knowledge remains unsated and insatiable:

SAUNA USERS: PLEASE FILL OUT
AND PLACE IN ENVELOPE BELOW

I am a student at Teachers College, and am interested in the ways in which women interact in the sauna, and how they feel about that interaction. I would appreciate your help in this, and would be happy to speak with you personally if you have any further insights, reactions, or questions. Thank you.

Jennifer Bryce

Age:

Occupation:

How often do you use the sauna?

On what days and at what times do you usually come?

Why do you use the sauna?

Do you come alone or with a friend?

If you come alone, do you ever initiate conversation with others in the sauna?

If yes, on what subjects?

If no, why not?

As a sauna user, do you prefer that others strike up conversation in the sauna, or do you prefer that it be quiet?

Why?

How do you feel about the close physical contact that occurs when the sauna is crowded?

How do you think nudity affects the interaction of women in the sauna, if at all?

How would you describe the general atmosphere of the sauna when there are two unacquainted people using it?

Three to five women?

Over five?

If you have time, I would appreciate any insights you have as to why women interact in the above ways when in the sauna, and how (ideally) you would like them to interact.

The Progressive

The fabulous *Progressive* raises up an economic exemplar appalling to all but the economic morons who are its loyal subscribers:

China, by emphasizing human labor and massive recycling rather than energy-intensive technology, feeds 800 million people on the same number of acres used for agriculture in the United States.

[April 1977]

The Nation

Miss Lucy Komisar, authoress of *Down and Out in the USA*, reports breathlessly from the sweat-soaked floor of the International Women's Year Conference in Houston about a resolution that promises to unhorse the dismal science and a resolution bringing much-needed aid to women in the calaboose:

A new proposal sought legislation to provide "equal pay for work of equal value," a concept that could prevent employers from paying secretaries less than unskilled male workers earn. The plan also asked aid for the aged, the homemakers and women in prison.

[December 10, 1977]

A Dinner Story

When he checked his calendar last May and noticed that *The American Spectator* was to observe its tenth anniversary in the fall, Baron Von Kannon began preparations for the greatest Saturday Evening Club ever held. Generally, the Saturday Evening Club meets in Bloomington bibulously to dissect each issue of the magazine as it rolls off the press. But this special session was to be held in New York on December 6—and it was to transcend Perle Mesta's wildest fantasies.

Von Kannon first reserved a spacious ballroom at New York's St. Regis Hotel, chose the most gifted and humane bartenders available, and rigorously instructed them in his carefully developed etiquette for serving firewater. He then suborned a host of writers into attending despite their understandable misgivings and the requirement that they wear tuxedos. Finally, the ever resourceful Baron persuaded the CIA to foot the bill with a special cultural grant. (Not since the Medicis has an institution so generously endowed the arts. That the so-called liberals continue to grumble about this largess is just another indication of their profound anti-intellectualism.) By late summer the Baron had set an immense enterprise into motion. Nothing would stop him; yet stopped and undone he almost was.

Upon registering at the St. Regis on the afternoon of the dinner, Tyrrell sniffed alien fragrances. He tested the hotel staff's sense of humor by insisting the odor was marijuana. The joke failed, and as he vainly experimented with variations on this hopeless drollery the staid lobby was penetrated by a mob of firemen and police armed with hoses and axes. There was a fire in the Maisonette Room—the very Maisonette Room in which *The American Spectator's* dinner was to take place that night. Worse yet, the elevators had been shut down and Tyrrell was to be detained in the St. Regis lobby until the fire was extinguished—an intolerable situation. The place abounded with poodles, Hermes luggage, Texas businessmen wearing \$500 double-knit suits, and others who failed to see any humor at all in Tyrrell's remarks. Without thought for his personal safety he scrambled up 26 flights of stairs, charged into his suite, and submerged himself in a hot bath.

In time the telephone rang. It was Bloomington. The Baron had been hospitalized and would not be coming to New York, and the staff was trapped in a blizzard. Tyrrell reacted to this news with characteristic decisiveness: He stirred bath oils into his tub, added more hot water, and submerged himself again. An hour and a half later the phone rang again. The staff had reached the airport, but their plane was grounded by mechanical failures. Back to the tub.

Yet, once begun no CIA project is ever stopped: The alleged fire was merely steam from a recusant water pipe, and the staff commandeered a later flight to arrive just in time for the opening of the bar; the elevators sprang to life, and Von Kannon's guests began to arrive. The celebration was underway.

What a feast! By mid-evening, 180 satisfied diners had devastated the nation's last flock of whooping crane (and they thought the prandial centerpiece was lowly capon!) and had downed a small ocean of *le vin blanc*.

While brandy was poured, and the healthful aroma of cigar smoke filled the air, master of ceremonies William Safire introduced himself as "a great example of tokenism at the *New York Times*." After a moving statement attesting to his admiration for the new administration and for Mr. Tip O'Neill, he presented the evening's musical entertainment featuring Len Garment and the Chuck Wayne Trio. Next, *National Review's* William F. Buckley, Jr., toasted *The American Spectator*, and with characteristic understatement opined: "I believe that there is a greater concentration of beauty, brains, and culture here tonight than ever assembled anywhere in the history of the world." Then *Commentary's* Norman Podhoretz raised his glass and declared: "Ten years is old for a magazine. Rather like an animal, a magazine that survives for ten years can be deemed to be not only mature, but approaching the condition of possible senility. I myself have been carrying on something like a posthumous existence...." *The Public Interest's* Irving Kristol toasted the Baron Von Kannon's achievement. Finally, Robert Nisbet discoursed on *The American Spectator's* genealogy, introduced R. Emmett Tyrrell, Jr., and announced the thrilling news that Tyrrell had just been chosen by the U.S. Jaycees as one of the Ten Most Outstanding Young Men In America for 1978.

All of which led to the editor's speech (please see page 4), a piece of oratory so stentorian in sheer volume that Tyrrell prevented an emotional ovation only by hurriedly summoning to the stage the Saturday Evening Club "Singers" for a rendition of "I Am a One Hundred Percent American," the marching anthem of *The American Spectator*. Cacophony resounded through the room and disharmoniousness shook the chandeliers as members of the assembled multitude, songsheets in hand, joined the choir.

What an evening the Baron had engineered! And too bad for the so-called liberals. We had so much fun we decided to stick with *The American Spectator* for another ten years. →



One-hundred and eighty celebrants of *The American Spectator's* tenth anniversary pause to consider what it all means as Irving Kristol completes his 38th trip to the bar.

Scenes from the Dinner



William F. Buckley apprises Len Garment, Frank Shakespeare, and R. Emmett Tyrrell of "our" position on the Erie Canal.



Ron Burr, our distinguished Vice President.



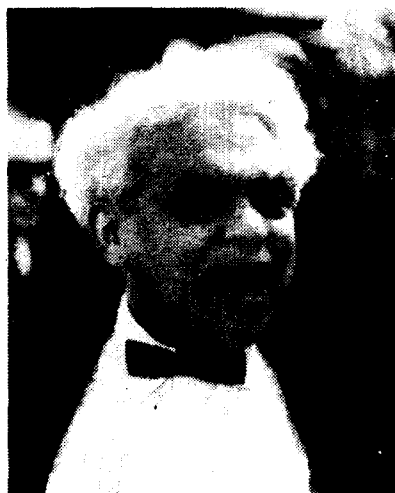
Norman Podhoretz and Frank Shakespeare stalked by the mysterious stranger.



Ernest van den Haag and Adam Meyerson study another of Peter Rusthoven's diatribes.



Erich Eichman and Ken Gooderham in a rare moment of hilarity.



Arnold Beichman, *fortissimo con brio*.



Nat Glazer remembering the answers.



Tom Wolfe ponders another species of chic.

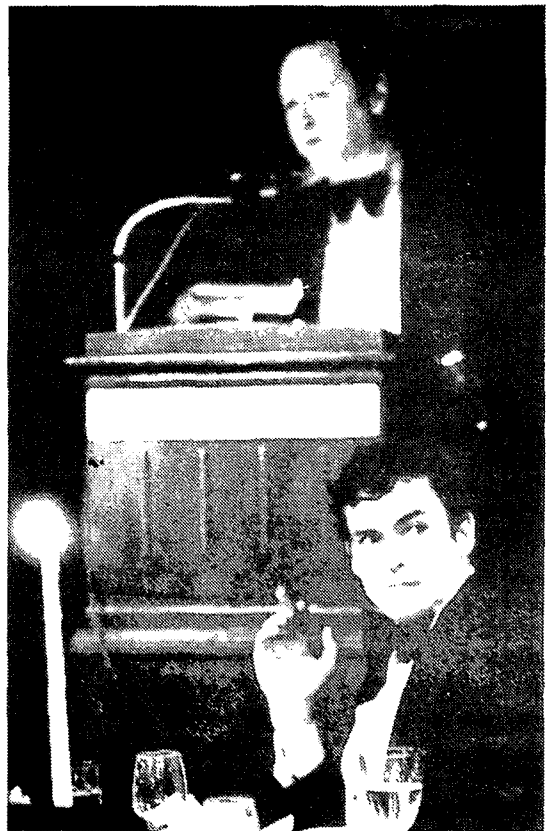


In a populist fever Tyrrell hurls his text to The People.



Irving Kristol—never above enjoying his own joke.

Robert Nisbet: From Gutenberg to *The American Spectator* in 15 minutes.



The suave William Safire enunciates far over the head of R. Emmett Tyrrell.



Live from the St. Regis: The Saturday Evening Club "Singers" with special guest soloist William F. Buckley.



Jim Buckley digesting America's last whooping crane.

Why Not The Worst?

Tyrrell's Prose and High Moral Character Judged by Readers Across America

R. Emmett Tyrrell, Jr.'s writing—in *The American Spectator*, *Harper's*, *Commentary*, the *New York Times*, and *Newsweek*—always elicits admiring and courteous responses from the *crème de la crème* of American intellectualoids. Hundreds of letters have poured in throughout the year. Here is a sampling of some of the most thoughtful:

"I am appalled..." *Bridgeport, Conn.* "...a new low in journalism." *Boulder, Colo.* "I do not worry about the Emmett Tyrrells of the world. The gutters are crawling with them." *Jenkintown, Penn.* "...the lowest kind of journalistic prostitution." *Calgary, Alberta, Canada.* "...disgusting falsehoods and venomous generalizations..." *Buffalo, N.Y.* "...extremely infantile and vulgar." *Kokomo, Ind.*

"I am appalled..." *Annandale, Va.* "Mr. Tyrrell's article illustrates everything that we at the university so passionately reject." *Edwardsville, Ill.* "...a piece of trash." *Buffalo, N.Y.* "...uses language in an irresponsible and dangerous manner." *Evanston, Ill.* "The article is not only outrageous. It frightens me." *Washington, D.C.* "...an exercise in bad taste." *Toledo, Ohio.* "...neither amusing nor intelligent." *Washington, D.C.* "...flagrantly ignorant..." *Toronto, Ontario, Canada.*

"I am appalled..." *Bozeman, Mont.* "Where does Mr. Tyrrell get his knowledge? From old movies? *Pontiac, Mich.* "...viciously biased..." *Lincoln, Neb.* "...juvenile stereotyping." *Akron, Ohio.* "...without purpose and an insult to minimal intelligence." *Venice, Cal.* "I simply could not believe my eyes." *Oxford, Penn.* "...ugly..." *Worcester, Mass.*



Such thoughtful comments suggest that *The American Spectator* is unlikely to become required reading for the sensitive and idealistic of the Republic.

After all, *The American Spectator* obstinately defends and admires such quaint values as freedom, democracy, and excellence.

The American Spectator is unfashionably skeptical of such trendy piffles as women's liberation, reform politicians, Ralph Nader, hygiene of any kind, and singles bars.

And *The American Spectator's* editor revels in treating venerable world leaders with puckish irreverence. President Carter, for example, "remains adamant in going by the first name of a little boy," and Mao

Tse-tung was, in Tyrrell's eyes, "the pudgiest revolutionary of the century...a plump little butterball."

If you are an aspiring intellectualoid, *The American Spectator* is poison. Stick with *Rolling Stone* or *Ontology Today*. But if you hold to *complicated* views of the world that bustles beyond your nose, if you delight in forming your own opinions, and if you want to know what some of the best writers in America are saying to discomfit some of the most preposterous lightweights, read *The American Spectator*, the magazine that appalls.

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